

UTWP-00691

March 15, 2010

*Via Certified Mail/Return Receipt*

Mr. Sean Thompson, Acting Executive Director  
NJ Council on Affordable Housing  
101 South Broad Street  
PO Box 813  
Trenton, New Jersey 08625-0813

**Re: COAH Substantive Certification Petition Application  
Township of Union, Union County**

Dear Mr Thompson:

On behalf of the Township of Union, Union County, T&M Associates is submitting the Township petition for substantive certification of the Township Housing Plan Element and Fair Share Plan.

The Township initially submitted its petition on July 9, 2009. At that time, COAH declined jurisdiction due to pending litigation in the matter of ARC Union, LLC vs. Township of Union, et al. That litigation has now been dismissed and the Court has relinquished its jurisdiction.

The enclosed documentation is for COAH use in reviewing the Township petition:

1. Letter of Judge Lisa Chrystal, JSC, dated March 2, 2010
2. Stipulation of Dismissal, filed February 16, 2010
3. COAH Petition Application with supporting documentation (as initially submitted July 9, 2009)
  - i. Workbook C
  - ii. Development Fee Ordinance
  - iii. Spending Plan
  - iv. Affordable Housing Ordinance
  - v. Housing Element and Fair Share Plan
  - vi. Planning Board Resolution of Adoption of Housing Plan
  - vii. Governing Body Resolution of Endorsement of Housing Plan and Petition for Certification
  - viii. Service List

The documents listed above are being submitted in both hard copy in PDF on the enclosed CD.



Le: Mr. Sean Thompson, Acting Executive Director  
NJ Council on Affordable Housing  
Re: COAH Substantive Certification Petition Application  
Township of Union, Union County

If you have any questions, please call me at (732) 671-6400.

Very truly yours,

T&M ASSOCIATES

A handwritten signature in cursive script, reading 'Richard Cramer', written in black ink.

RICHARD CRAMER, A.I.C.P., P.P.  
PLANNING CONSULTANT

RSC:lfm

Enclosures

cc: Frank Bradley, Township Administrator (w/encs)  
Philip Haderer, PE, Township Engineer  
Stanley C. Slachetka, PP  
Diane Dabulas, Esq., Planning Board Attorney (w/encs)  
Daniel Antonelli, Esq., Township Attorney (w/encls)  
Diana Rutledge, Planning Board Secretary (w/encls)  
Eileen Birch, Township Clerk (encls)

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# TABLE OF CONTENTS

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Cover Letter

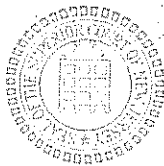
**Section 1** Court Dismissal and Termination of Jurisdiction

**Section 2** Stipulation of Dismissal

**Section 3** COAH Substantive Certification Petition

SUPERIOR COURT OF NEW JERSEY

CHAMBERS OF  
LISA F. CHRYSTAL  
JUDGE



COURTHOUSE  
ELIZABETH, NEW JERSEY  
07207

March 2, 2010

David W. Fassett, Esq  
Arseneault, Whipple, Fasset & Azzarello, LLP  
560 Main Street  
Chatham, NJ 07928

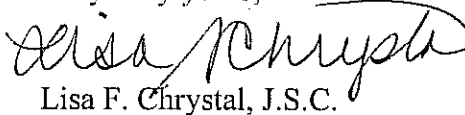
Re: ARC Union, LLC vs. Township of Union, et al.  
Docket No. L-1486-09

Dear Mr. Fassett:

I have reviewed your letter of February 11, 2010. This matter was Dismissed with Prejudice February 16, 2010 (see attached Order of Dismissal).

Therefore, at this point, I do not believe the Court has the jurisdiction to enter the Order Transferring Jurisdiction to COAH that you have attached.

Very truly yours,

  
Lisa F. Chrystal, J.S.C.

Cc: Criag M. Gianetti, Esq.  
Robert J. Pansulla, Esq.  
Daniel McCarthy, Esq.

LFC/bjc



SUPERIOR COURT OF NEW JERSEY  
UNION COUNTY-LAW DIVISION

DOCKET NO. L 1486 -09

ARC Union, LLC

CIVIL ACTION  
ORDER OF  
DISMISSAL/DISPOSITION

Township of Union  
et al.

It is on this 16 day of Feb, 20 10, ORDERED that this matter is  
hereby dismissed/disposed due to the following:

- |  |  |
|--|--|
| <input type="checkbox"/> 05 Tried to Comp. w/jury            | <input type="checkbox"/> 23 Settled before trial date assigned         |
| <input type="checkbox"/> 07 Tried to comp. w/o jury          | <input type="checkbox"/> 04 Partially tried                            |
| <input type="checkbox"/> 08 Default                          | <input type="checkbox"/> 24 Settled after TD but before trial          |
| <input type="checkbox"/> 09 Summary Judgment                 | <input type="checkbox"/> w/o aid of Court                              |
| <input checked="" type="checkbox"/> 10 Dismissed w/Prejudice | <input type="checkbox"/> 24 Settled after TD assigned but before trial |
| <input type="checkbox"/> 11 Dismissed Rule 1:13              | <input type="checkbox"/> with aid of Court                             |
| <input type="checkbox"/> 12 Dismissed w/o Prejudice          | <input type="checkbox"/> 24 Settled on TD but before trial commences   |
| <input type="checkbox"/> 14 Transfer to another County       | <input type="checkbox"/> w/o aid of Court                              |
| <input type="checkbox"/> 15 Transfer to another Court        | <input type="checkbox"/> 24 Settled on TD but before trial commences   |
| <input type="checkbox"/> 18 Reinstated                       | <input type="checkbox"/> with aid of Court                             |
| <input type="checkbox"/> 45 Inactivated                      | <input type="checkbox"/> 25 Settled while scheduled for Arbitration    |
| <input type="checkbox"/> 29 Settled by Conference w/Judge    | <input type="checkbox"/> 26 Settled while scheduled for other CDR      |
| <input type="checkbox"/> 27 Settled Friendly Hearing Comp.   | <input type="checkbox"/> 28 Settled by other CDR                       |
| <input type="checkbox"/> 82 Default Judgment-Prf. hrg. comp. | <input type="checkbox"/> 17 Settled by Statutory ARB/50 day dismissal  |

Plaintiff Attorney failed to appear. Dismissed by Court.

Plaintiff failed to appear. Dismissed by Court.

Defendant failed to appear. Strike defendants pleadings. Defenses are suppressed.

Plaintiff and defendant failed to appear. Dismissed by Court.

It is further ORDERED that the plaintiff/defendant shall serve a copy  
of this ORDER on the plaintiff/defendant within 10 days of the above  
date.

REMARKS Dismissed w/Prejudice

Attorneys are to sign on lines provided below:

for

for

for

for

all counsel

Lisa Murphy  
Hon. Lisa F. Chynoweth

**FILED**

**FEB 16 2010**

**HON. LISA F. CHRYSTAL, J.S.C.**

ARSENEAULT WHIPPLE FASSETT & AZZARELLO, LLP  
560 Main Street  
Chatham, NJ 07928  
(973) 635-3366

Attorneys for Defendants Township of Union and Township Committee of the Township of Union, improperly pled as Township Council of the Township of Union

ARC UNION, LLC

Plaintiff

v.

TOWNSHIP OF UNION, TOWNSHIP  
COUNCIL OF THE TOWNSHIP OF  
UNION, TOWNSHIP OF UNION  
ZONING BOARD OF ADJUSTMENT,  
and TOWNSHIP OF UNION  
PLANNING BOARD

Defendants

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: UNION COUNTY  
Docket No. UNN-L-1486-09

Civil Action

**STIPULATION OF DISMISSAL WITH  
PREJUDICE AND WITHOUT COSTS**

Pursuant to Rule 4:37-1(a), the undersigned counsel stipulate and agree that this action  
be, and hereby is, dismissed in its entirety with prejudice and without costs.

GIORDANO HALLERAN & CIESLA  
Attorneys for Plaintiff

By: 

Craig M. Glanetti

ARSENEAULT WHIPPLE FASSETT & AZZARELLO, LLP  
Attorneys for Defendants Township of Union and Township Committee of the Township of Union, improperly pled as Township Council of the Township of Union

By: 

David W. Fassett

GACCIONE POMACO & MALANGA  
Attorneys for Defendant Township of Union Zoning Board of Adjustment

By: 

Robert J. Parsulla

ROGUT MC CARTHY  
Attorneys for Defendant Township of Union Planning Board

By: 

Dianne U. Dabulas

Dated: January 29, 2009

**FILED**

**FEB 16 2010**

HON. LISA F. CRYSTAL, J.S.C.

ARSENEAULT WHIPPLE FASSETT & AZZARELLO, LLP  
560 Main Street  
Chatham, NJ 07928  
(973) 635-3366

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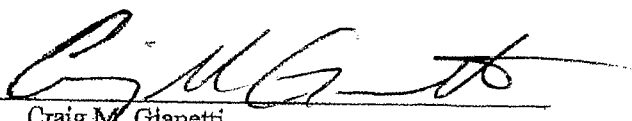
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Attorneys for Plaintiff

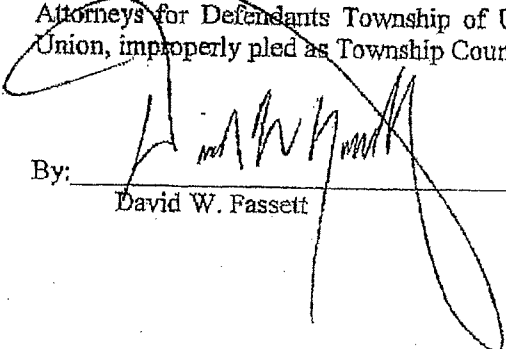
By:

  
Craig M. Ghanetti

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By:

  
David W. Fassett

GACCIONE POMACO & MALANGA

Attorneys for Defendant Township of Union Zoning Board of Adjustment

By: 

Robert J. Pansulla

ROGUT MC CARTHY

Attorneys for Defendant Township of Union Planning Board

By: 

Diane U. Dabulas

Dated: January 29, 2009

UTWP-00690

July 9, 2009

*Via Certified Mail/Return Receipt*

Ms. Lucy Vanderberg, Executive Director  
NJ Council on Affordable Housing  
101 South Broad Street  
PO Box 813  
Trenton, NJ 08625-0813

**Re: COAH Substantive Certification Petition Application  
Township of Union, Union County**

Dear Ms. Vanderberg:

On behalf of the Township of Union, Union County, T&M Associates is submitting the Township petition for substantive certification of the Township Housing Plan Element and Fair Share Plan. The enclosed documentation is for COAH use in reviewing the Township petition:

- I. COAH Petition Application with supporting documentation
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If you have any questions, please call me at (732) 671-6400.

Very truly yours,

T&M ASSOCIATES

  
RICHARD CRAMER, A.I.C.P., P.P.  
PLANNING CONSULTANT

RSC:lbw

Enclosure

cc: Frank Bradley, Township Administrator  
Philip Haderer, PE, Township Engineer  
Stanley C. Slachetka, PP  
Diane Dabulas, Esq., Planning Board Attorney  
Daniel Antonelli, Esq., Township Attorney  
Diana Rutledge, Planning Board Secretary  
Eileen Birch, Township Clerk



**STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
COUNCIL ON AFFORDABLE HOUSING  
PETITION APPLICATION**



This application is a guideline for creating a Housing Element and Fair Share Plan. A completed version of this application must be submitted as part of your petition for substantive certification to COAH. This application will be used by COAH staff to expedite review of your petition. This application can serve as your municipality's Fair Share Plan. A brief narrative component of the Fair Share Plan should be included with this application and can serve primarily to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would include a description of any waivers being requested.

This form reflects COAH's newly adopted procedural and substantive rules and the amendments to those rules adopted on September 22, 2008. Footnotes and links to some helpful data sources may be found at the end of each section. To use this document electronically, use the TAB KEY to navigate from field to field. Enter data or use the Right Mouse Button to check boxes.

<b>MUNICIPALITY</b>	Union Township	<b>COUNTY</b>	Union County
<b>COAH REGION</b>	<u>2</u>	<b>PLANNING AREA(S)</b>	PA 1 (Metro)
<b>SPECIAL RESOURCE AREA(S)</b>	None		
<b>PREPARER NAME</b>	Richard S. Cramer, Pp, Aicp	<b>TITLE</b>	Planning Div. Mgr.
<b>EMAIL</b>	Rcramer@Tandmassociates.Com	<b>PHONE NO.</b>	732-671-6400
	T&M Associates		
<b>ADDRESS</b>	11 Tindall Rd.	<b>FAX NO.</b>	732-671-7365
	Middletown, Nj 07748		
<b>MUNICIPAL HOUSING LIAISON</b>	Tbd	<b>TITLE</b>	_____
<b>EMAIL</b>	_____	<b>PHONE NO.</b>	_____
<b>ADDRESS</b>	_____	<b>FAX NO.</b>	_____

Enter the date(s) that COAH granted Substantive Certification or that the Court granted a Judgment of Compliance (JOC) on the Housing Element and Fair Share Plan.

<b>History of Approvals</b>	<u>COAH</u>	<u>JOC</u>	<u>N/A</u>
First Round	<u>11/13/1987</u>	_____	<input type="checkbox"/>
Second Round	<u>6/5/2002</u>	_____	<input type="checkbox"/>
Extended Second Round	<u>3/9/2005</u>	_____	<input type="checkbox"/>

Does the Petition include any requests for a waiver from COAH Rules? ☐ Yes ☒ No  
If Yes, Please note rule section from which waiver is sought and describe further in a narrative section: \_\_\_\_\_

# **FILING/PETITION DOCUMENTS (N.J.A.C. 5:96-2.2/3.2 & N.J.A.C. 5:97-2.3/3.2)**

All of the following documents must be submitted in order for your petition to be considered complete. Some documents may be on file with COAH. Please denote by marking the appropriate box if a document is attached to the Housing Element and Fair Share Plan or if you are using a document on file with COAH from your previous third round submittal to support this petition. Shaded areas signify items that must be submitted anew.

Included	On File	Required Documentation/Information
<input checked="" type="checkbox"/>		Certified Planning Board Resolution adopting or amending the Housing Element & Fair Share Plan
<input checked="" type="checkbox"/>		Certified Governing Body Resolution endorsing an adopted Housing Element & Fair Share Plan and either (check appropriate box): <input checked="" type="checkbox"/> Petitioning <input type="checkbox"/> Filing <input type="checkbox"/> Re-petitioning <input type="checkbox"/> Amending Certified Plan
<input checked="" type="checkbox"/>		Service List (in the new format required by COAH)
<input checked="" type="checkbox"/>		Adopted Housing Element & Fair Share Plan narrative (including draft and/or adopted ordinances necessary to implement the Plan)
<input type="checkbox"/> <input checked="" type="checkbox"/> N/A		If applicable, Implementation Schedule(s) with detailed timetable for the creation of units and for the submittal of all information and documentation required by N.J.A.C. 5:97-3.2(a)4
<input type="checkbox"/> <input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	If applicable, Litigation Docket No., OAL Docket No., Settlement Agreement and Judgment of Compliance or Court Master's Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Municipal Master Plan (most recently adopted; if less than three years old, the immediately preceding, adopted Master Plan)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Municipal Zoning Ordinance (most recently adopted) <sup>1</sup> Date of Last Amendment: _____ Date of Submission to COAH: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Municipal Tax Maps (most up-to-date, electronic if available) Date of Last Revision: _____ Date of Submission to COAH: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other documentation pertaining to the review of the adopted Housing Element & Fair Share Plan(list):

## **FOR OFFICE USE ONLY**

Date Received \_\_\_\_\_ Affidavit of Public Notice \_\_\_\_\_ Date Deemed \_\_\_\_\_  
Complete/Incomplete \_\_\_\_\_ Reviewer's Initials \_\_\_\_\_

<sup>1</sup> Pursuant to N.J.S.A. N.J.S.A. 52:27D-307, as amended by PL 2008 c.46, any residential development resulting from a zoning change made to a previously non-residentially-zoned property, where the change in zoning precedes or follows the application for residential development by no more than 24 months, shall require that a percentage be reserved for occupancy by low or moderate income households.



**HOUSING ELEMENT**  
(N.J.A.C. 5:97-2 & N.J.S.A. 40:55D-1 et seq.)

The following issues and items must be addressed in the Housing Element for completeness review. Where applicable, provide the page number(s) on which each issue and/or item is addressed within the narrative Housing Element.

1. The plan includes an inventory of the municipality's housing stock by<sup>1</sup>:

- ☒ Age;
- ☒ Condition;
- ☒ Purchase or rental value;
- ☒ Occupancy characteristics; and
- ☒ Housing type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated

☒ Yes, Page Number: 6-10      ☐ No (incomplete)

2. The plan provides an analysis of the municipality's demographic characteristics, including, but not necessarily limited to<sup>2</sup>:

- ☒ Population trends
- ☒ Household size and type
- ☒ Age characteristics
- ☒ Income level
- ☒ Employment status of **residents**

☒ Yes, Page Number: 5-10      ☐ No (incomplete)

3. The plan provides an analysis of existing and future employment characteristics of the **municipality**, including but not limited to<sup>3</sup>:

- ☒ Most recently available in-place employment by industry sectors and number of persons employed;
- ☒ Most recently available employment trends; and
- ☒ Employment outlook

☒ Yes, Page Number: 9-10      ☐ No (incomplete)

4. The plan includes a determination of the municipality's present and prospective fair share for low and moderate income housing and an analysis of how existing or proposed changes in zoning will provide adequate capacity to accommodate residential and non-residential growth projections.  
AND

The analysis covers the following:

- ☒ The availability of existing and planned infrastructure;
- ☒ The anticipated demand for the types of uses permitted by zoning based on present and anticipated future demographic characteristics of the municipality;
- ☒ Anticipated land use patterns;
- ☒ Municipal economic development policies;
- ☒ Constraints on development including State and Federal regulations, land ownership patterns, presence of incompatible land uses or sites needing remediation and environmental constraints; and
- ☒ Existing or planned measures to address these constraints.

☒ Yes, Page Number: 13-15      ☐ No (incomplete)

5. The plan includes a consideration of lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

☒ Yes, Page Number: 16-17      ☐ No (incomplete)

6. The plan relies on household and employment projections for the municipality as provided in Appendix F of COAH's rules (if yes check the yes box below and check no in lines 6a-8).

☐ Yes, Page Number: \_\_\_\_\_      ☒ No (go to 6a)

- 6a. The Plan relies on higher household and employment projections for the municipality as permitted under N.J.A.C. 5:97-2.3(d) (optional - see Fair Share Plan section starting on page 7 of this application).

☐ Yes (go to 7 and 8)      ☒ No (go to 6b)

- 6b. The Plan relies on a request for a downward adjustment to household and employment projections for the municipality as provided in N.J.A.C. 5:97-5.6 (optional - see Fair Share Plan section starting on page 7 of this application).

☒ Yes, Page Number: 11-12      ☐ No

7. If the municipality anticipates higher household projections than provided by COAH in Appendix F, the plan projects the municipality's probable future construction of housing for fifteen years covering the period January 1, 2004 through December 31, 2018 using the following minimum information for residential development:

- ☐ Number of units for which certificates of occupancy were issued since January 1, 2004;
- ☐ Pending, approved and anticipated applications for development;
- ☐ Historical trends, of at least the past 10 years, which includes certificates of occupancy issued; and
- ☐ The worksheet for determining a higher residential growth projection provided by COAH. (Worksheets are available at [www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html](http://www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html))

☐ Yes, Page Number: \_\_\_\_\_

☐ No (incomplete)

☒ Not applicable (municipality accepts COAH's projections) \*

\* Union Township is seeking a downward adjustment

8.If the municipality anticipates higher employment projections than provided by COAH in Appendix F, the plan projects the probable future jobs based on the use groups outlined in Appendix D for fifteen years covering the period January 1, 2004 through December 31, 2018 for the municipality using the following minimum information for non-residential development:

- ☐ Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
- ☐ Square footage of pending, approved and anticipated applications for development;
- ☐ Historical trends, of at least the past 10 years, which shall include square footage authorized by certificates of occupancy issued;
- ☐ Demolition permits issued and projected for previously occupied non-residential space; and
- ☐ The worksheet for determining a higher non-residential growth projection provided by COAH.

☐ Yes, Page Number: \_\_\_\_\_

☐ No (incomplete)

☒ Not applicable (municipality accepts COAH's projections) \*

\* Union Township is seeking a downward adjustment

9.T he plan addresses the municipality's :

- ☒ Rehabilitation share (from Appendix B);
- ☒ Prior round obligation (from Appendix C); and
- ☒ Projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

☒ Yes, Page Number: 19-26 ☐ No (incomplete)

10. If applicable, the plan includes status of the municipality's application for plan endorsement from the State Planning Commission.

☐ Yes, Page Number: \_\_\_\_\_ ☐ No (incomplete) ☒ Not Applicable

Petition date: \_\_\_\_\_ Endorsement date: \_\_\_\_\_

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<sup>1</sup> Information available through the U.S. Census Bureau at [http://factfinder.census.gov/servlet/ACSSAFFHousing?sse=on&submenuId=housing\\_0](http://factfinder.census.gov/servlet/ACSSAFFHousing?sse=on&submenuId=housing_0)

<sup>2</sup> Information available through the U.S. Census Bureau at <http://factfinder.census.gov/home/saff/main.html>.

<sup>3</sup> Information available through the New Jersey Department of labor at <http://www.wnjin.net/OneStopCareerCenter/LaborMarketInformation/lmi14/index.html>

## FAIR SHARE PLAN (N.J.A.C. 5:97-3)

Please provide a summary of the Fair Share Plan by filling out all requested information. Enter N/A where the information requested does not apply to the municipality. A fully completed application may serve as the actual Fair Share Plan. A brief narrative should be attached to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would fully describe, under a separate heading, any waivers that are being requested.

### Determining the 1987-2018 Fair Share Obligation

The following tables will assist you in determining your overall 1987-2018 fair share obligation. For each cycle of the affordable housing need and rehabilitation share, please use the “need” column to enter the number of units addressed in the municipal petition. Where the municipality has received and/or is proposing any adjustments to its rehabilitation share, prior round and/or growth share obligation, use the footnotes providing rule references and follow the procedures for determining the municipal need and/or for calculating any adjustments applicable to the municipality. Enter the affordable housing need as provided by COAH or that results from the adjustment under the “Need” column.

Line		<u>Need</u>
1	<input type="radio"/> Rehabilitation Share (From <u>N.J.A.C. 5:97 Appendix B</u> ) <b>OR</b>	<u>199</u>
2	<input type="radio"/> Optional Municipally Determined Rehabilitation Share (If a municipally determined rehabilitation share is being used, attach the survey results as an exhibit to this application and indicate that it is attached as Exhibit _____.)	<u>N/A</u>
		<u>Need</u>
3	<input type="radio"/> Prior Round (1987-1999) Affordable Housing Obligation (From <u>N.J.A.C. 5:97 Appendix C</u> )	<u>233</u>
	<input type="radio"/> Prior Round Adjustments:	
	<input type="radio"/> 20% Cap Adjustment	<u>0</u>
	<input type="radio"/> 1000 Unit Cap Adjustment	<u>0</u>
4	Total Prior Round Adjustments	<u>0</u>
5	<b>Adjusted Prior Round Obligation:</b> (Number in Appendix C <b>minus</b> Total Prior Round Adjustment(s))	<u>233</u>
	<input type="radio"/> Prior Round Vacant Land Adjustment (Unmet Need)	<u>      </u>
6	Realistic Development Potential(RDP) <sup>1</sup>	<u>      </u>

<sup>1</sup> RDP = Adjusted Prior Round Obligation minus Vacant Land Adjustment

## Determining the Growth Share Obligation

All municipalities must complete the "COAH projections" table below. Only municipalities that anticipate higher projections or that are seeking a growth projection adjustment based on a demonstration that insufficient land capacity exists to accommodate COAH projections need complete the corresponding additional table. COAH has published three workbooks in Excel format to assist with preparing this analysis. All municipalities must complete Workbook A. Workbook B must be used when the municipality anticipates that its growth through 2018 is likely to exceed the growth through 2018 that has been projected by COAH and the municipality wants to plan accordingly. Workbook C must be used by municipalities seeking a downward adjustment to the COAH-generated growth projections based on an analysis of municipal land capacity. Workbooks may be found at the following web location:

[www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html](http://www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html).

The applicable workbook has been completed and is attach to this application as Exhibit 1.

Line	○ <i>Required 2004-2018 COAH Projections and Resulting Projected Growth Share</i>			
	Household Growth (From Appendix F)	<u>1522</u>	Employment Growth (From Appendix F)	<u>8365</u>
	Household Growth After Exclusions (From Workbook A)	<u>1522</u>	Employment Growth After Exclusions (From Workbook A)	<u>8365</u>
	Residential Obligation (From Workbook A)	<u>304.40</u>	Non-Residential Obligation (From Workbook A)	<u>522.81</u>
7	Total 2004-2018 Growth Share Obligation			<u>827.00</u>
	○ <i>Optional 2004-2018 Municipal Projections Resulting in Higher Projected Growth Share</i>			
	Household Growth After Exclusions (From Workbook B)	_____	Employment Growth After Exclusions (From Workbook B)	_____
	Residential Obligation (From Workbook B)	_____	Non-Residential Obligation (From Workbook B)	_____
8	Total 2004-2018 Projected Growth Share Obligation			_____
	○ <i>Optional Municipal Adjustment to 2004-2018 Projections and Resulting Lower Projected Growth Share</i>			
	Household Growth After Exclusions (From Workbook C)	<u>184</u>	Employment Growth After Exclusions (From Workbook C)	<u>1525</u>
	Residential Obligation (From Workbook C)	<u>36.81</u>	Non-Residential Obligation (From Workbook C)	<u>95.59</u>
9	Total 2004-2018 Growth Share Obligation			<u>132</u>
10	<b>Total Fair Share Obligation</b> (Line 1 or 2 + Line 5 or 6 + Line 7, 8 or 9)			<u>564.00</u>

## Summary of Plan for Total 1987-2018 Fair Share Obligation

(For each mechanism, provide a description in the Fair Share Plan narrative. In the table below, specify the number of completed or proposed units associated with each mechanism.)

	<u>Completed</u>	<u>Proposed</u>	<u>Total</u>
<b>Rehabilitation Share</b>			<u>199</u>
<i>Less: Rehabilitation Credits</i>	<u>87</u>		<u>87</u>
Rehab Program(s)		<u>112</u>	<u>112</u>
<b>Remaining Rehabilitation Share</b>			<u>0</u>
<b>Prior Round (1987-1999 New Construction) Obligation</b>			<u>233</u>
<i>Less: Vacant Land Adjustment (If Applicable)</i>			
<i>(Enter unmet need as the adjustment amount. Unmet need = Prior round obligation minus RDP):</i>			
Unmet Need			_____
RDP	_____	_____	_____
<b>Mechanisms addressing Prior Round</b>			
Prior Cycle Credits (1980 to 1986)		<u>231</u>	<u>231</u>
Credits without Controls	_____	_____	_____
Inclusionary Development/Redevelopment	_____	_____	_____
100% Affordable Units	<u>90</u>	_____	<u>90</u>
Accessory Apartments	_____	_____	_____
Market-to-Affordable	_____	_____	_____
Supportive & Special Needs	_____	_____	_____
Assisted Living	_____	_____	_____
RCA Units previously approved	_____	_____	_____
Other	_____	_____	_____
Prior Round Bonuses	_____	_____	_____
<b>Remaining Prior Round Obligation</b>	_____	_____	<u>0</u>
<b>Third Round Projected Growth Share Obligation</b>			<u>132</u>
<i>Less: Mechanisms addressing Growth Share</i>			
Inclusionary Zoning	_____	_____	_____
Redevelopment	_____	_____	_____
100% Affordable Development	<u>31</u>	_____	<u>31</u>
Accessory Apartments	_____	<u>5</u>	<u>5</u>
Market-to-Affordable Units	_____	<u>13</u>	<u>13</u>
Supportive & Special Need Units	<u>20</u>	_____	<u>20</u>
Assisted Living: post-1986 Units	_____	_____	_____
Other Credits	<u>61</u>	_____	<u>61</u>
Compliance Bonuses	_____	_____	_____
Smart Growth Bonuses	_____	_____	_____
Redevelopment Bonuses	_____	_____	_____
Rental Bonuses	<u>2</u>	_____	<u>2</u>
<b>Growth Share Total</b>	_____	_____	_____
<b>Remaining (Obligation) or Surplus</b>	<u>114</u>	<u>18</u>	<u>132</u>

## PARAMETERS<sup>1</sup>

<b><u>Prior Round 1987-1999</u></b>			
RCA Maximum	Exh. 1	RCAs Included	Exh. 1
Age-Restricted Maximum	Exh. 1	Age-Restricted Units Included	Exh. 1
Rental Minimum	Exh. 1	Rental Units Included	Exh. 1

<b><u>Growth Share 1999-2018</u></b>			
Age-Restricted Maximum	33	Age-Restricted Units Included	33
Rental Minimum	33	Rental Units Included	54
Family Minimum	66	Family Units Included	77
Very Low-Income Minimum <sup>2</sup>	18	Very Low-Income Units Included	129

<sup>1</sup> Pursuant to the procedures in N.J.A.C. 5:97-3.10-3.12

<sup>2</sup> Pursuant to N.J.S.A. 52:27D-329.1, adopted on July 17, 2008, at least 13 percent of the housing units made available for occupancy by low-income and moderate income households must be reserved for occupancy by very low income households.



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## Summary of Built and Proposed Affordable Housing

Provide the information requested regarding the proposed program(s), project(s) and/or unit(s) in the Fair Share Plan. Use a separate line to specify any bonus associated with any program, project and/or unit in the Plan. As part of completeness review, all monitoring forms must be up-to-date (i.e. 2007 monitoring must have been submitted previously or included with this application) and all proposed options for addressing the affordable housing obligation must be accompanied by the applicable checklist(s) (found as appendices to this application). Enter whether a project is proposed or completed and attach the appropriate form or checklist for each mechanism as appendices to the plan. Please note that bonuses requested for the prior round must have been occupied after December 15, 1986 and after June 6, 1999 for the third round.

Please make sure that a corresponding mechanism checklist is submitted for each mechanism being employed to achieve compliance. Separate checklists for each mechanism are available on the COAH website at [www.nj.gov/dca/affiliates/coah/resources/checklists.html](http://www.nj.gov/dca/affiliates/coah/resources/checklists.html).

**Table 1. Projects and/or units addressing the Rehabilitation Share**

Project/Program Name	Proposed (use Checklists) or Completed (use <u>Rehabilitation Unit Survey Form</u> )	Rental, Owner Occupied or Both	Checklist or Form Appendix Location <sup>1</sup>
1. <u>Municipal Progra</u>	<u>Completed</u>	<u>Both</u>	<u>On File</u>
2. _____	_____	_____	_____
3. _____	_____	_____	_____

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<sup>1</sup> If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit Rehabilitation Unit Survey Forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

**Table 2. Programs, Projects and/or units addressing the Prior Round.**

<b>Project/Program Name</b>	<b>Mechanism or Bonus Type</b>	<b>Proposed (use checklists) or Completed (use Project/Unit Program Information Forms)</b>	<b>Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)</b>	<b>Number Addressing Rental Obligation)</b>	<b>Number Subject to Age- Restricted Cap</b>	<b>Checklist or Form Appendix Location<sup>1</sup></b>
1. Erhardt Gardens (On File)	<u>Inclusionary Zoning</u>	<u>Completed</u>	<u>231</u>	<u>231</u>	<u>0</u>	_____
2. Lenox Meadows (On File)	<u>Municipally Sponsori</u>	<u>Completed</u>	<u>59</u>	<u>0</u>	<u>0</u>	_____
3. Newtown Village (On File)	<u>Municipally Sponsori</u>	<u>Completed</u>	<u>31</u>	<u>0</u>	<u>31</u>	_____
4. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
5. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
6. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
7. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
8. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
9. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
10. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
11. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
12. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
13. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
14. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
15. *** See Exhibit 2***	_____	_____	_____	_____	_____	_____
<b>Subtotal from any additional pages used</b>				_____		
<b>Total units (proposed and completed)</b>				<u>321</u>		
<b>Total rental</b>				<u>231</u>		
<b>Total age-restricted</b>				<u>31</u>		
<b>Total very-low</b>				<u>231</u>		
<b>Total bonuses</b>				<u>0</u>		

**Please add additional sheets as necessary.**

<sup>1</sup> If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

**Table 3. Programs, Projects and/or Units Addressing the Third Round.**

Project Name	Mechanism or Bonus Type	Proposed (use checklist(s)) or Completed (use Project/Unit Program Information Form)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Units Addressing Rental Obligation	Units Addressing Family Obligation	Units Subject to Age- restricted Cap	Checklist or Form Appendix Location <sup>1</sup>
16. Surplus From 2 <sup>nd</sup> Round (On File)	Municipally Sponsored	<u>Completed</u>	<u>59</u>	<u>0</u>	<u>59</u>	<u>0</u>	_____
17. Surplus From 2nd Round (On File)	Municipally Sponsored	<u>Completed</u>	<u>2</u>	<u>0</u>	_____	<u>2</u>	_____
18. Nora Gardens	Site Specific Zoning	<u>Completed</u>	<u>31</u>	<u>16</u>	<u>0</u>	<u>31</u>	_____
19. Center For Family Support Of NJ	Special Needs	<u>Completed</u>	<u>4</u>	<u>4</u>	<u>0</u>	<u>0</u>	_____
20. Our House	Special Needs	<u>Completed</u>	<u>12</u>	<u>12</u>	<u>0</u>	<u>0</u>	_____
21. Federation Of Multicultural Programs	Special Needs	<u>Completed</u>	<u>4</u>	<u>4</u>	<u>0</u>	<u>0</u>	_____
22. Accessory Apartments	Municipally Sponsored	<u>Proposed</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>0</u>	_____
23. Market To Affordable	Market to Affordable	<u>Proposed</u>	<u>13</u>	<u>13</u>	<u>13</u>	<u>0</u>	_____
24. Bonus Credits	Rental Bonus	<u>Proposed</u>	<u>2</u>	<u>2</u>	<u>0</u>	<u>0</u>	_____
25.		_____	_____	_____	_____	_____	_____
26.		_____	_____	_____	_____	_____	_____
27.		_____	_____	_____	_____	_____	_____
28.		_____	_____	_____	_____	_____	_____
29.		_____	_____	_____	_____	_____	_____
30.		_____	_____	_____	_____	_____	_____
<b>Subtotal from any additional pages used</b>			_____	<b>Total units (proposed and completed)</b>		<u>132</u>	
Total family units			_____	Total rental units		<u>54</u>	
Total age-restricted units			_____	Total family rental units		<u>38</u>	
Total Supportive/Special Needs units			_____	Total very-low units		<u>18</u>	
Total Special Needs bedrooms			_____	Total bonuses		<u>2</u>	

**Please add additional sheets as necessary.**

<sup>1</sup> If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

Please answer the following questions necessary for completeness review regarding the municipality's draft and/or adopted implementing ordinances.

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**AFFORDABLE HOUSING TRUST FUND (N.J.A.C. 5:97-8)**

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1. Does the municipality have an affordable housing trust fund account? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a fully executed escrow agreement will forfeit the ability to retain development fees.)**

☒ Yes, Bank Name Investor's Savings Bank (Union Township, NJ)

(Choose account type) ☒ Separate interest-bearing account

☐ State of New Jersey cash management fund

☐ No **(Skip to the Affordable Housing Ordinance section)**

2. Has an escrow agreement been executed? ☒ Yes ☐ No  
**(If no, petition is incomplete. Submit an executed escrow agreement.)**

3. Is all trust fund monitoring up-to-date as of December 31, 2007? ☒ Yes ☐ No  
**(If no, petition is incomplete. Submit an updated trust fund monitoring report.)**

**DEVELOPMENT FEE ORDINANCES (N.J.A.C. 5:97-8.3)**

1. Does the Fair Share Plan include a proposed or adopted development fee ordinance? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a development fee ordinance will forfeit the ability to retain non-residential development fees)**

☒ Yes,

☐ Adopted OR ☒ Proposed

☐ No **Skip to the next category; Payments-in-Lieu**

2. If adopted, specify date of COAH/Court approval here: \_\_\_\_\_

- Have there been any amendments to the ordinance since COAH or the Court approved the ordinance?

☐ Yes, Ordinance Number. \_\_\_\_\_ Adopted on<sup>1</sup> \_\_\_\_\_

☐ No **(Skip to the next category; Payments-in-Lieu)**

- If yes, is the amended ordinance included with your petition?

☐ Yes

☐ No, **(Petition is incomplete. Submit ordinance with governing body resolution requesting COAH approval of amended ordinance)**

3. Does the ordinance follow the ordinance model **updated September 2008** and available at [www.nj.gov/dca/affiliates/coah/resources/planresources.html](http://www.nj.gov/dca/affiliates/coah/resources/planresources.html)? If yes, skip to question 5.

☒ Yes      ☐ No

4. If the answer to 3. above is no, indicate that the necessary items below are addressed before submitting the Development Fee ordinance to COAH:

**Information and Documentation**

The ordinance imposes a residential development fee of \_\_\_\_% and a Non-residential fee of 2.5 %

- ☐ A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
- ☐ A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e)
- ☐ A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d)
- ☐ A description of collection procedures per N.J.A.C. 5:97-8.3(f)
- ☐ A description of development fee appeals per N.J.A.C. 5:97-8.3(g)
- ☐ A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h)
- ☐ If part of a court settlement, submit court ordered judgment of compliance, implementation ordinances, information regarding period of time encompassed by the judgment of compliance and a request for review by the court
5. Does the ordinance include an affordability assistance provision per N.J.A.C. 5:97-8.8 (**Note: must be at least 30 percent of all development fees plus interest**)?
- ☒ Yes (Specify actual or anticipated amount) \$930238
- ☐ No **Submit an amended ordinance with provisions for affordability assistance along with a governing body resolution requesting COAH approval of the amended ordinance.)**

■ If yes, what kind of assistance is offered?

Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.

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- Has an affordability assistance program manual been submitted? ☐ Yes ☒ No

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<sup>1</sup> Any amendment to a previously approved and adopted development fee ordinance must be submitted to COAH along with a resolution requesting COAH's review and approval of the amendment prior to the adoption of said amendment by the municipality.

**PAYMENTS-IN-LIEU OF CONSTRUCTING AFFORDABLE UNITS ON  
SITE (N.J.A.C. 5:97-8.4)**

1. Does the Fair Share Plan include an inclusionary zoning ordinance that provides for payments-in-lieu as an option to the on-site construction of affordable housing?  
☐ Yes ☒ No (**Skip to the next category; Barrier Free Escrow**)
2. Does the plan identify an alternate site and/or project for the payment-in-lieu funds? (**Optional**)  
☐ Yes (**attach applicable checklist**)  
☐ No (identify possible mechanisms on which payment in lieu will be expended in narrative section of plan.)
3. Does the ordinance include minimum criteria to be met before the payments-in-lieu becomes an available option for developers? (**Optional**)  
☐ Yes (indicate ordinance section) \_\_\_\_\_  
☐ No

**BARRIER FREE ESCROW/OTHER FUNDS (N.J.A.C. 5:97-8.5/8.6)**

1. Has the municipality collected or does it anticipate collecting fees to adapt affordable unit entrances to be accessible in accordance with the Barrier Free Subcode, N.J.A.C. 5:23-7?  
☒ Yes ☐ No
2. Does the municipality anticipate collecting any other funds for affordable housing activities?  
☒ Yes (specify funding source and amount) CDBG Funds - Amt. TBD  
☐ No

### **SPENDING PLANS (N.J.A.C. 5:97-8.10)**

1. Does the petition include a Spending Plan? **(Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a Spending Plan will forfeit the ability to retain development fees.)**  
☒ Yes      ☐ No
2. Does the Spending Plan follow the Spending Plan model **updated October 2008** and available at [www.nj.gov/dca/affiliates/coah/resources/planresources.html](http://www.nj.gov/dca/affiliates/coah/resources/planresources.html)? If yes, skip to next section - Affordable Housing Ordinance.  
☒ Yes      ☐ No
3. If the answer to 1. above is no, indicate that the necessary items below are addressed before submitting the spending plan to COAH:

#### **Information and Documentation**

- ☐ A projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historical development activity;
- ☐ A projection of revenues anticipated from other sources (specify source(s) and amount(s));
- ☐ A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
- ☐ A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7;
- ☐ A schedule for the expenditure of all affordable housing trust funds;
- ☐ A schedule for the creation or rehabilitation of housing units;
- ☐ If the municipality envisions being responsible for public sector or non-profit construction of housing, a detailed pro-forma statement of the anticipated costs and revenues associated with the development, consistent with standards required by HMFA or the DCA Division of Housing in its review of funding applications;
- ☐ If the municipality maintains an existing affordable housing trust fund, a plan to spend the remaining balance as of the date of its third round petition within four years of the date of petition;
- ☐ The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan;
- ☐ A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and
- ☐ If not part of the petition, a resolution of the governing body requesting COAH review and approval of spending plan or an amendment to an approved spending plan.



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**AFFORDABLE HOUSING ORDINANCE (N.J.A.C. 5:80-26.1 et seq.)**

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1. Does the Fair Share Plan include an Affordable Housing Ordinance?  
☒ Yes      ☐ No
2. Does the ordinance follow the ordinance model available at [www.nj.gov/dca/affiliates/coah/resources/planresources.html](http://www.nj.gov/dca/affiliates/coah/resources/planresources.html)?      ☒ Yes      ☐ No
3. If the answer to 1. or 2. above is no, indicate that the required items below are addressed before submitting to COAH. If the required items are addressed in ordinances other than an Affordable Housing Ordinance, please explain in a narrative section of the Fair Share Plan.

**Required Information and Documentation**

- ☐ Affordability controls
- ☐ Bedroom distribution
- ☐ Low/moderate-income split and bedroom distribution
- ☐ Accessible townhouse units
- ☐ Sale and rental pricing
- ☐ Municipal Housing Liaison
- ☐ Administrative Agent
- ☐ Reference to the Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

**AFFORDABLE HOUSING ADMINISTRATION (As Applicable)**

Items that must be submitted with the petition:

- ☒ Governing body resolution designating a municipal housing liaison (COAH must approve) \* RESOLUTION TO BE PROVIDED.

Items that must be submitted prior to COAH's grant of Substantive Certification:

- ☐ Operating manual for rehabilitation program
- ☐ Operating manual for affordability assistance
- ☐ Operating manual for an Accessory Apartment program
- ☐ Operating manual for a Market-to-Affordable program
- ☐ COAH approved administrative agent if municipal wide

Items that must be submitted prior to any time prior to marketing completed units:

- ☐ COAH approved administrative agent(s) is project specific
- ☐ Operating manual for sale units
- ☐ Operating manual for rental units
- ☐ Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

## CERTIFICATION

I, RICHARD CRAMER have prepared this petition application for substantive certification on behalf of the Township of Union, Union County. I certify that the information submitted in this petition is complete, true and accurate to the best of my knowledge. I understand that knowingly falsifying the information contained herein may result in the denial and/or revocation of the municipality's substantive certification.

Richard Cramer  
Signature of Preparer (affix seal if applicable)

July 9, 2009  
Date

Professional Planner  
Title

N.J.S.A. 2C:21-3, which applies to the certifications, declares it to be a disorderly person offense to knowingly make a false statement or give false information as part of a public record.

## **Narrative Section**

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Township of Union  
Union County, New Jersey

COAH Petition Application  
July 2009  
Exhibit 1

732 671-7565

**CHECKLIST  
EXHIBIT 1**CHRISTINE TODD WHITMAN  
GovernorState of New Jersey  
COUNCIL ON AFFORDABLE HOUSING  
CN-813  
TRENTON NJ 08625-0813  
609-292-3000  
FAX: 609-633-6056  
TDD#: (609) 278-0175JANE M. KENNY  
Chairman  
SHIRLEY M. BISHOP, P.P.  
Executive Director**COAH SUMMARY FACT SHEET - 1987-1999**

1. Municipality Union Township 2. Date of  
County Union Petition for Certification 5/14/96  
Region 2 Final Certification 10/2/96

Planning Areas: 1 and 2Staff Reviewer Sean Thompson

4. Precredited Need 332  
New Construction 233  
Rehabilitation Component 99

Reductions  
Prior Cycle Credits -231  
Units Built -98  
Rehabilitation Credits -72

Final Fair Share Obligation 0  
Surplus 69

Recommendation**GRANT SUBSTANTIVE CERTIFICATION**

**EXECUTIVE SUMMARY  
UNION TOWNSHIP/UNION COUNTY  
REGION #2**

August 26, 1996

**PREPARED BY: SEAN THOMPSON, PRINCIPAL PLANNER**

The Planning Board of Union Township adopted a housing element and fair share plan addressing its 12-year cumulative 1987-1999 obligation on September 19, 1995. The township petitioned the Council on Affordable Housing (COAH) for substantive certification on May 14, 1996. There were no objectors during the 45-day objector period.

Union Township has a 1987-1999 precertified need of 332: 99 units of rehabilitation and 233 units of new construction. The township is eligible to receive prior cycle credits for 231 units, credit for 59-for sale family units, 39 for-sale age-restricted units and 72 rehabilitated units.

During the 14-day comment period to the Compliance Report COAH received one comment from Thomas Thomas, consulting planner, which has been addressed in the COAH Report in Response to Comments.

The township is eligible to receive credits for 401 units. Therefore, Union Township has a surplus of 69 units which may be eligible for meeting its third round obligation.

COAH staff recommends that Union Township's fair share plan and housing element be approved for substantive certification.

**EXHIBIT A**

**COMPLIANCE REPORT  
UNION TOWNSHIP/UNION COUNTY  
REGION #2**

August 14, 1996

PREPARED BY: SEAN THOMPSON, PRINCIPAL PLANNER

**I     INTRODUCTION**

Union Township, Union County, adopted a housing element and fair share plan addressing its 12-year cumulative 1987-1999 obligation on September 19, 1995. Union Township's 1987-1999 cumulative precertified need is 332: 99 for rehabilitation and 233 for new construction. Union Township petitioned the Council on Affordable Housing (COAH) for substantive certification on May 14, 1996. The township published notice on June 24, 1996. COAH received no objections during the 45-day objector period.

**II    BACKGROUND**

Union Township received its first substantive certification on November 13, 1987 to address a need of 552 units. The township received credit for rehabilitation, for 233 units of new construction and a vacant land adjustment.

**III   INVENTORY ANALYSIS**

A. Housing Stock

According to the 1990 census, there are 19,334 housing units in the township. The majority (77 percent) are owner-occupied units. The median value of owner-occupied housing in 1990 was \$175,600.

B. Demographic Characteristics

According to the 1990 census, the township had a population of 50,024 persons. In 1990 there were 18,820 households with an average household size of 2.58 persons. The 1990 median income was \$42,665.

In reviewing Union Township's housing element, information was submitted regarding housing stock, demographic characteristics, employment characteristics and population trends.



#### IV REDUCTION AND CREDITS

At the time of substantive certification, the township submitted information on 231 low and moderate income housing units created through the New Jersey Housing and Mortgage Finance Agency (HMFA) with project-based Section 8 assistance. The township is seeking 231 prior cycle credits for units constructed in the Thomas A. Erhardt Gardens, which were completed in May 1, 1980.

In addition, Union Township is seeking credit for 90 for sale units: 59 non-age restricted units in Lenox Meadows and 31 age-restricted in Newtown Village. The units are part of the township's previous fair share plan and are administered through the Union Township Community Development Office. The 90 units were funded through municipal bonding and Community Development Block Grant (CDBG) funds. The units are fee-simple and have affordability controls in place.

Union Township is also requesting "*Retroactive Rental Bonus Credits*." The township is seeking bonus credits for rental units in Erhardt Gardens. However, since Erhardt Gardens are prior cycle credits, the units are not eligible for rental bonus credits pursuant to N.J.A.C. 5:93-3.3(b).

According to N.J.A.C. 5:93-3.4(a), municipalities may receive credit for the rehabilitation of substandard low and moderate income units completed subsequent to April 1, 1990. The township is seeking 74 credits for rehabilitation activity. After careful review, 72 units are eligible for COAH credit.

In summary, the township is eligible to receive prior cycle credits for 231 units, credit for 59 for sale family units and 39 for sale age-restricted units and 72 units for rehabilitation. All documentation has been filed with COAH.

#### V NUMBER

Union Township's cumulative precertified 1987-1999 need is 332: 99 rehabilitation and 233 inclusionary units. Based on the information submitted for credits and reductions, the township has met its cumulative obligation and has a surplus of 69 units.

Requested Reductions and Credits	
Precredited Need	332
Erhardt Gardens (Prior Cycle Credits)	231
Lenox Meadows (family for sale)	59
Newtown Village (age-restricted for sale)	39
Rehabilitation Subsequent to April 1, 1990	72
Net Fair Share	0
Surplus Units	69

#### **VI HOUSING ELEMENT**

Based on the information submitted for reductions and credits, the township's second round obligation is zero. Union Township has addressed its 12-year cumulative obligation and has excess credits that may be applied toward a future obligation.

#### **VII SUBSTANTIAL COMPLIANCE**

The township is seeking a reduction for substantial compliance. Pursuant to N.J.A.C. 5:93-3.6, the township is not eligible for a substantial compliance reduction since it has no inclusionary obligation.

#### **VIII CONTROLS ON AFFORDABILITY**

The township's community development office will continue to administer its housing programs. The township's administrative plan outlines the method of qualifying applicants, establishing waiting lists, matching applicants to units and processing for sale and rental units.

#### **IX AFFIRMATIVE MARKETING**

Union Township must amend its fair share ordinance to reflect that resales and rerentals will be marketed to the new COAH housing region. The new ordinance must be adopted within 45 days after receiving substantive certification.

**X RECOMMENDATION**

Pursuant to N.J.A.C. 5:93 et. seq., Union Township's fair share plan and housing element are in compliance with the standards for substantive certification. The township is eligible to receive credits and reductions for 401 units. Therefore, Union Township exceeded its second round fair share obligation and has a surplus of 69 units which may be eligible for reductions for its third round obligation.

After careful review and analysis, COAH staff recommends that Union Township's fair share plan and housing element be approved for substantive certification. Union Township must adopt an ordinance reflecting that affordable units will be marketed to the new COAH housing region within 45 days of receiving substantive certification.

**RESPONSE TO LETTER/REPORT REGARDING  
RENTAL BONUS CREDITS AND  
SUBSTANTIAL COMPLIANCE CREDITS  
UNION TOWNSHIP/UNION COUNTY  
PREPARED BY: SEAN THOMPSON  
August 23, 1996**

On August 12, 1996 the Council on Affordable Housing (COAH) received a letter/report from Thomas Thomas, consulting planner to Union Township, concerning rental bonus credits and credits for substantial compliance. He is concerned that COAH does not grant rental bonus credits for rental projects developed prior to 1986. He believes that prior cycle credit projects should be eligible for bonus credits.

He is also concerned that COAH does not grant a substantial compliance reduction of one credit to Union Township. In accordance with 5:93-3.6(b), the reduction is only applied to the 1987-1999 inclusionary component. Since the township has no inclusionary number, it cannot receive a substantial compliance reduction.

COAH acknowledges that Union Township's housing programs have surpassed its COAH housing obligation and commends the township's efforts.

**REPORT REVIEWING MOTION FOR EXTENDED SUBSTANTIVE CERTIFICATION  
UNION TOWNSHIP, UNION COUNTY**

**PREPARED BY**

**Sarah Murphy, Assistant Planner**

**February 18, 2005**

**I. INTRODUCTION**

The Council on Affordable Housing (COAH) adopted N.J.A.C. 5:91-14 as an interim procedural rule, effective November 1, 1999, which was designed to address the anticipated gap between the expiration of second round low- and moderate-income housing requirements and the promulgation of a third round methodology and corresponding rules. Specifically, the rule adopted by COAH in 1999 established a mechanism whereby municipalities that had received second round certification from COAH could request an extension for a period of time up to one year after the effective date of COAH's third round rules, provided the municipality requested the extension by resolution of the governing body and committed to petition COAH with a third round plan prior to the expiration of the extension.

COAH's interim procedural rule was the subject of several appeals. On August 31, 2004, the Appellate Division of the Superior Court of New Jersey, issued a consolidated opinion on these related appeals and determined that, while COAH does have the authority to grant extended substantive certifications, it must provide for adequate public notice. The court further opined that COAH must "engage in a principled review of each municipality's compliance and conduct before it can qualify for an extended certification" and directed COAH to adopt rules governing the process municipalities must follow to secure extensions. In re Six Month Extension of N.J.A.C. 5:91-1 et seq. et al., 372 N.J. Super. 61 (App. Div. 2004).

In compliance with the directive of the Appellate Division, COAH adopted N.J.A.C. 5:91-14.3 as an emergency rule, which became effective on October 13, 2004, and N.J.A.C. 5:95-15.2 which replaced the October 13<sup>th</sup> rule on December 20, 2004. These revised procedures require municipalities seeking extended substantive certification to do so by filing a formal

motion with COAH, providing adequate public notice and providing documentation from which COAH's review can be based.

This report reviews the request for extended substantive certification that was submitted in a motion filed by Union Township, Union County on December 13, 2004. Union Township filed its motion by the December 13, 2004 deadline established by N.J.A.C. 5:91-14.3 and N.J.A.C. 5:95-15.2. Union Township was originally granted extended substantive certification by COAH on June 5, 2002 under N.J.A.C. 5:91-14.

The motion schedule established by COAH provided for opposing briefs to be filed by January 31, 2005. No opposing briefs were received by COAH.

## **II. COMPLIANCE REVIEW**

Union Township submitted documentation in support of its motion that included a proposed schedule for the submission of a petition for third round substantive certification, a statement describing the progress of the Township's compliance with the terms of its 1987-1999 substantive certification and current monitoring reports. Union Township has committed to submitting a newly adopted Housing Element and Fair Share Plan to address its third round obligation prior to December 20, 2005.

The second round affordable housing obligation for Union Township is 332 units, consisting of 233 new construction units and 99 rehabilitation units.

Union Township received second round substantive certification on June 5, 2002. The plan certified by COAH included a total of 393 credits and bonus credits that included 231 units in Erhardt Gardens, 59 units in Lenox Meadows, 31 age-restricted units in Newtown Village, and 72 units that had been previously rehabilitated pursuant to COAH rules. The Township applied 27 new construction credits against its rehabilitation obligation leaving a remaining obligation of zero units with a 61-unit surplus.

### DEVELOPMENT FEE ORDINANCE

Union Township's certified plan included a development fee ordinance that was approved by COAH on May 5, 1993 and adopted by the Township on July 13, 1993. COAH approved Union Township's spending plan on August 26, 1996. The Township has reported that it has collected \$1,072,218.61 in development fees and expended \$735,3179.95 on Affordable Housing Programs and \$84,304.81 on administration for total expenditures of \$819,622.76, and a remaining balance of \$252,595.85.

### IMPLEMENTING ORDINANCES

Union Township was required to amend its fair share ordinance to reflect that re-sales and re-rentals would be marketed to the new COAH housing region within 45 days of receiving substantive certification.

Union Township has adopted all implementing ordinances.

### **III. RECOMMENDATION**

Union Township had a second round affordable housing obligation of 332 units consisting of 233 new construction units and 99 rehabilitation units. Union Township received substantive certification from COAH on September 4, 1996 for a fair share plan that includes 321 credits and bonus credits for units that have been built, and 72 units that have been rehabilitated, leaving a surplus of 61 units.

Union Township is complying with the terms of its 1987-1999 substantive certification and staff recommends that COAH grant Union Township extended substantive certification until December 20, 2005.

Union Township,  
Union County  
February 18, 2005

Union Township must leave all ordinances implementing its original certification in effect for the extended substantive certification.



**RESOLUTION GRANTING EXTENDED SUBSTANTIVE CERTIFICATION #**

---

**Union Township, Union County**

WHEREAS, Union Township, Union County, received substantive certification from the New Jersey Council on Affordable Housing (COAH) on June 5, 2002 for a period of six years; and

WHEREAS, N.J.A.C. 5:95-15.2 permits COAH-certified municipalities to request an extension of substantive certification of their 1987-1999 Housing Element and Fair Share Plan until December 20, 2005; and

WHEREAS, Union Township moved for extended substantive certification by motion on December 14, 2004, as per N.J.A.C. 5:95-12; and

WHEREAS, Union Township's governing body adopted a resolution on November 23, 2004 requesting the extension, committing to continue to implement the certified second round plan and committing to file or petition for third round substantive certification in accordance with N.J.A.C. 5:94 and N.J.A.C. 5:95 by December 20, 2005; and

WHEREAS, notice of the motion was published in the Union Leader on December 16, 2004; and

WHEREAS, Union Township served the motion upon the service list maintained by COAH as per N.J.A.C. 5:95-15.2(c)2; and

WHEREAS, Union Township submitted documentation demonstrating that all applicable ordinances implementing the 1987-1999 substantive certification are in effect; and

WHEREAS, Union Township's motion and accompanying documentation comply with requirements set forth in N.J.A.C. 5:95-15.2; and

WHEREAS, during the 20-day public comment period, COAH received no comments to Union Township's motion for extended substantive certification; and

WHEREAS, COAH staff conducted a principled review of Union Township's motion and prepared a COAH Report Reviewing Motion for Extended Substantive Certification on February 18, 2005 (attached hereto as Exhibit A and incorporated by reference herein); and

WHEREAS, Union Township's cumulative fair share obligation is 332 affordable housing units, consisting of a 99-unit rehabilitation obligation and a 223-unit new construction obligation; and

WHEREAS, the plan certified by COAH on September 4, 1996 included 321 credits and bonus credits; and

WHEREAS, the plan certified by COAH utilized excess new construction units to address the Township's remaining rehabilitation obligation resulting in a 61-unit new construction surplus; and

WHEREAS, Union Township's certified plan included a development fee ordinance that was approved by COAH on May 5, 1993 and adopted by the Township on July 13, 1993; and

WHEREAS, COAH approved Union Township's spending plan on August 26, 1996.

NOW THEREFORE BE IT RESOLVED that Union Township is complying with the terms of its 1987-1999 substantive certification; and

BE IT FURTHER RESOLVED that Union Township shall continue to comply with all terms and conditions of its substantive certification or any amended substantive certification; and

BE IT FURTHER RESOLVED that Union Township's approved plan continues to provide a realistic opportunity for the development of affordable housing; and

BE IT FURTHER RESOLVED that COAH hereby grants Union Township, Union County, extended substantive certification; and

BE IT FURTHER RESOLVED that this grant of extended substantive certification of Union Township's Housing Element and Fair Share Plan is extended for a period of time not beyond December 20, 2005 or until Union Township files or petitions for third round substantive certification, whichever is earlier; and

BE IT FURTHER RESOLVED that Union Township shall file or petition for third round substantive certification by December 20, 2005; and

BE IT FURTHER RESOLVED THAT all ordinances implementing the original substantive certification or the amended substantive certification shall remain in effect for the duration of the extended substantive certification; and

BE IT FURTHER RESOLVED THAT Union Township's extended substantive certification is conditioned on Union Township's continued implementation of its certified Housing Element and Fair Share Plan.

I hereby certify that this Resolution was duly adopted by the Council on Affordable Housing at its meeting on \_\_\_\_\_.

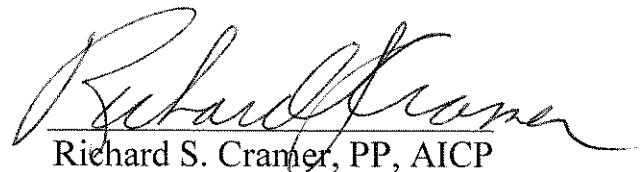
Renée Reiss  
Council Secretary

# Affordable Housing Trust Fund Spending Plan

*Prepared for:*

*Township of Union  
Union County, New Jersey*

*Prepared on June 17, 2009 by:*



Richard S. Cramer, PP, AICP  
NJ Professional Planner  
License No.: 02207

*Of the Firm:*



ASSOCIATES

11 Tindall Road  
Middletown, NJ 07748

APPROVED ON \_\_\_\_\_ BY THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF UNION

*The original of this document was signed and sealed in accordance with law.*

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## **OVERVIEW**

This 2009 Spending Plan for the Union Township Affordable Housing Trust fund reflects the latest amendments to the rules and regulations of the New Jersey Council on Affordable Housing (COAH). In addition to demonstrating how affordable housing trust funds will be expended, the spending plan is coordinated with the implementation schedule of the Township fair share plan. The spending plan provides a basis for demonstrating a realistic opportunity of each proposed affordable housing option that relies on the Township Affordable Housing Trust Fund as well as a basis for the affordable housing delivery mechanisms that are the subject of the Township implementation schedule. The Township is required to spend existing balances as of July 17, 2008 within four years of the date the Township's spending plan is approved by the Council. To ensure timeliness of fund expenditures, there is a requirement to spend or contractually commit newly collected funds within three years from the calendar year in which those funds were collected. Spending may be through a revolving loan, no-interest loans, forgivable loans, below-market loans, bridge loans, a hybrid loan and grant program, etc.

This plan is organized into five sections that address the standard information required by N.J.A.C. 5:97-8.10.

COAH staff will be utilizing the actual collections, expenditure and balances reported in the Township affordable housing trust fund monitoring submitted to COAH via the Computer Tracking and Monitoring (CTM) system.

## **INTRODUCTION**

The Township of Union, Union County, has prepared a Housing Element and Fair Share Plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH on May 5, 1993 and adopted by the Township on July 13, 1993. The ordinance establishes the Township of Union affordable housing trust fund for which this spending plan is prepared.

As of July 17, 2008, The Township of Union has collected \$1,856,870.67, expended \$847,762.76 resulting in a balance of \$1,078,306.77. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in Investor's Savings Bank, Union Township for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

The Township received prior approval to maintain an affordable housing trust fund on May 5, 1993. As of December 31, 2004, the prior round balance remaining in the affordable housing trust fund was \$328,390.48. From January 1, 2005 through July 17, 2008, Union Township collected an additional \$733,619.42 in development fees, payments in lieu of construction, other funds, and/or interest. From January 1, 2005 through July 17, 2008, Union Township expended funds on the affordable housing activities detailed in section 4 of this spending plan.

In 2009, Union Township will amend its development fee ordinance to increase its development fees to one and one half percent (1.5%) of equal assessed value (E.A.V.) for residential projects, and two and one half percent (2.5%) of equal assessed value for non-residential projects. This fee increase has been considered in the Township's calculation of projected development fee revenues, which are discussed in the following section.

## **1. REVENUES FOR CERTIFICATION PERIOD**

To calculate a projection of revenue anticipated during the period of third round substantive certification, Union Township considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.
4. The average amount of development fees collected annually since the inception of the Township's Affordable Housing Trust Fund.
5. The amendment to the Township's development fee ordinance which increases development fees to 1.5% E.A.V. for residential construction projects and 2.5% E.A.V. for non-residential construction projects.

(b) Payment in lieu (PIL):

The Township has not assessed or collected any payments in lieu.

(c) Other funding sources:

No funds have been collected or are anticipated to be collected from funding sources other than development.

(d) Projected interest:

For the purposes of this spending plan, the Township assumed earning 1.02 percent interest on an annual year-end balance of \$1,000,000.

*Affordable Housing Trust Fund Spending Plan  
Union Township, NJ  
June 2009*

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2008 THROUGH 2018											
	7/18/08 Through 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development fees:	\$229,442	\$50,000	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$1,812,358
1. Approved Development	\$229,442	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$229,442
2. Pending Development Approval	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3. Projected Development*^	\$0	\$50,000	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$170,324	\$1,582,916
(b) Payments in Lieu of Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
(c) Other Funds (Specify source(s))	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
(d) Interest	\$4,043	\$10,200	\$10,200	\$10,200	\$10,200	\$10,200	\$10,200	\$10,200	\$10,200	\$10,200	\$10,200	\$106,043
Total	\$233,485	\$60,200	\$180,524	\$180,524	\$180,524	\$180,524	\$180,524	\$180,524	\$180,524	\$180,524	\$180,524	\$1,918,401

\* The amount of development fees projected to be collected in 2009 has been diminished to account for COAH's order to cease the collection of development fees because of the Township's failure to adopt a Third Round Housing Plan Element and Fair Share Plan.

^Projected development fees have been calculated as follows: Total revenue collected from inception of Housing Trust Fund/15 years = average annual fees collected = \$123,872. It was then assumed that half of the average annual fees were collected from non-residential projects, and half from residential projects ( $\$123,872 / 2 = \$61,936$ ). Residential fee projections were multiplied by 1.50 to reflect a 50 percent increase in development fees per the Township's amended development fee ordinance ( $\$61,936 * 1.50 = \$92,904$ ). Non-residential fee projections were multiplied by 1.25 to reflect a 25 percent increase in development fees per the Township's amended development fee ordinance ( $\$61,936 * 1.25 = \$77,420$ ). The residential and non-residential fee projections were then summed, yielding an annual development fee projection of \$170,324.

Union Township projects a total of \$1,918,401 in revenue to be collected between July 18, 2008 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.



## **2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS**

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Township of Union:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Union Township's development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

The Mayor and Township Administrator forward to the Township Governing Body a recommendation for the expenditure of development fee revenues as set forth in this spending plan. The Governing Body reviews the request for consistency with the spending plan and, if the request is consistent with the plan, adopts the recommendation.

The use and release of the funds require the adoption of a resolution in accordance with the COAH-approved spending plan. Once a request is approved, the Chief Financial Officer releases the revenues from the trust fund for the specific use as per the Governing Body's resolution.

## **3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS**

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

Union Township will dedicate \$1,595,000 to rehabilitation, an accessory apartment program, and a market to affordable program (see detailed descriptions in Fair Share Plan) as follows:

**Rehabilitation program:** \$1,120,000

**Accessory Apartment Program:** \$115,000

**Market to Affordable Program:** \$360,000

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

Projected minimum affordability assistance requirement:

Actual development fees through 7/17/2008		\$1,856,871
Actual interest earned through 7/17/2008	+	\$67,993
Development fees projected* 2008-2018	+	\$1,812,358
Interest projected* 2008-2018	+	\$106,043
Less housing activity expenditures through 6/2/2008	-	\$742,471
<b>Total</b>	=	\$3,100,794
30 percent requirement	x 0.30 =	\$930,238.16
Less affordability assistance expenditures through 12/31/2004	-	\$0
<b>PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2005 through 12/31/2018</b>	=	\$930,238.16
<b>PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018</b>	÷ 3 =	\$310,079.39

\*Note: The 2008 portion of this projection reflects 2008 subsequent to July 17 as the remainder of 2008 is included in the actual figure reported above

The Township of Union will dedicate at least \$930,238.16 from the affordable housing trust fund to render units more affordable, including at least \$310,079.39 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

The Township of Union projects that approximately \$815,591 can be spent for for administrative purposes without exceeding the 20% cap. The Township anticipates spending approximately \$471,470 for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

Administration of affordable housing programs

Payment of employee salary and benefits

Payment of other miscellaneous administrative expenses

#### 4. EXPENDITURE SCHEDULE

The Township of Union intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

Program	Number of Units Projected	Funds Expended and/or Dedicated	PROJECTED EXPENDITURE SCHEDULE 2009-2018											
		2005-July 17, 2008	7/18/08 - 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Rehabilitation	112*	\$0	\$0	\$120,000	\$120,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$110,000	\$1,120,000
Accessory Apartment Program	5	\$0	\$0	\$0	\$0	\$0	\$45,000	\$45,000	\$25,000	\$0	\$0	\$0	\$0	\$115,000
Market to Affordable Program	13	\$0	\$0	\$0	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000	\$55,000	\$30,000	\$0	\$0	\$360,000
Total Programs	3	\$0	\$0	\$120,000	\$175,000	\$165,000	\$210,000	\$210,000	\$190,000	\$165,000	\$140,000	\$110,000	\$110,000	\$1,595,000
Affordability Assistance		\$0	\$0	\$93,024	\$93,024	\$93,024	\$93,024	\$93,024	\$93,024	\$93,024	\$93,024	\$93,024	\$93,024	\$930,238
Administration	----- --			\$66,470	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$471,470
Total				\$279,494	\$313,024	\$303,024	\$348,024	\$348,024	\$328,024	\$303,024	\$278,024	\$248,024	\$248,024	\$2,996,708

\*Union Township has completed 87 housing rehabilitations through its housing rehabilitation program since 2000, which may be credited toward satisfying its rehabilitation obligation. Therefore, the Township's remaining rehabilitation obligation is 112 units (199-87=112)

## **5. EXCESS OR SHORTFALL OF FUNDS**

Pursuant to the Housing Element and Fair Share Plan, the governing body of Union Township will adopt a resolution to fund any shortfall of funds required for implementing the rehabilitation and new construction of affordable housing units. In the event that a shortfall of anticipated revenues occurs, Union Township will issue municipal bonds to address the potential shortfall of funds. A copy of the resolution is attached.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used to address any eligible affordable housing expense as permitted by COAH rules and regulations.

## **6. BARRIER FREE ESCROW**

Collection and distribution of barrier free funds shall be consistent with Union Township's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

## **SUMMARY**

Union Township intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated May 19, 2009.

Union Township has a balance of \$1,078,307 as of July 17, 2008 and anticipates an additional \$1,918,401 in revenues before the expiration of substantive certification for a total of \$2,996,708. The municipality will dedicate \$1,595,000 towards rehabilitation, an accessory apartment program, and a market to affordable program, \$930,238 to render units more affordable, and \$471,470 to administrative costs. Any shortfall of funds will be offset by the issuance of municipal bonds, or other funding source available to the Township. The municipality will dedicate any excess funds for any eligible expense to provide affordable housing as permitted by COAH rules and regulations.

<b>SPENDING PLAN SUMMARY</b>	
Balance as of July 17, 2008	\$1,078,307
<b>PROJECTED REVENUE July 18, 2008-2018</b>	
Development fees	\$1,812,358
Payments in Lieu of Construction	\$0
Other funds	\$0
Interest	\$106,043
	\$1,918,401
<b>TOTAL REVENUE</b>	<b>\$2,996,708</b>
<b>EXPENDITURES</b>	
Funds used for Rehabilitation	\$1,120,000
Funds used for New Construction	
	\$0
Accessory Apartment Program	\$115,000
Market to Affordable Program	\$360,000
Affordability Assistance	\$930,238
Administration	\$471,470
Excess Funds for Additional Housing Activity	\$0
<b>TOTAL PROJECTED EXPENDITURES</b>	<b>\$2,996,708</b>
<b>REMAINING BALANCE</b>	<b>\$0</b>

***MASTER PLAN  
HOUSING PLAN ELEMENT AND  
FAIR SHARE PLAN***

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**UNION TOWNSHIP**

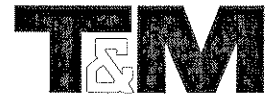
**UNION COUNTY, NEW JERSEY**

**MAY 19, 2009**

**PREPARED FOR:**

**UNION TOWNSHIP PLANNING BOARD**

**PREPARED BY:**



**ASSOCIATES**

**Eleven Tindall Road  
Middletown, NJ 07748**

**Richard S. Cramer, PP, AICP  
New Jersey Professional Planner  
License No.: 2207**

**Stan C. Slachetka, PP, AICP  
New Jersey Professional Planner  
License No.: 3508**

**Adopted June 25, 2009 by the Union Township Planning Board**

**Endorsed June 30, 2009 by the Union Township Committee**

*The original of this document has been signed and sealed in accordance with New Jersey Law.*

## Planning Board Resolution Adopting the Housing Element and Fair Share Plan

**WHEREAS**, the Planning Board of The Township of Union, State of New Jersey, adopted its current Master Plan pursuant to N.J.S.A. 40:55D-28 on June 25, 2009; and

**WHEREAS**, the Master Plan includes a Housing Element pursuant to N.J.S.A. 40:55D-28b (3); and

**WHEREAS**, N.J.A.C. 5:97-2.1(a) requires the adoption of the Housing Element by the Planning Board and endorsement by the Governing Body; and

**WHEREAS**, N.J.A.C. 5:97-3.1(a) requires the preparation of a Fair Share Plan to address the total 1987-2018 fair share obligation of The Township of Union; and

**WHEREAS**, N.J.A.C. 5:97-3.1(b) requires the adoption of the Fair Share Plan by the Planning Board and endorsement by the Governing Body; and

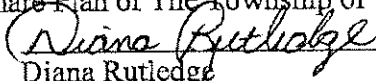
**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board of The Township of Union held a public hearing(s) on the Housing Element and Fair Share Plan on June 25, 2009; and

**WHEREAS**, the Planning Board has determined that the Housing Element and Fair Share Plan are consistent with the goals and objectives of the Township of Union's March 23, 2006 Reexamination Report of the Master Plan and previous Master Plan reports and that adoption and implementation of the Housing Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

**NOW THEREFORE BE IT RESOLVED** by the Planning Board of The Township of Union, County of Union, State of New Jersey, that the Planning Board hereby adopts the May 19, 2009 Housing Element and Fair Share Plan.

  
Chairman of Planning Board

I hereby certify that this is a true copy of the resolution adopting the Housing Element and Fair Share Plan of The Township of Union, County of Union, on June 25, 2009.

  
Diana Rutledge  
Planning Board Secretary

## RESOLUTION

### Governing Body Resolution Petitioning the Council on Affordable Housing with an Adopted Housing Element and Fair Share Plan

**WHEREAS**, the Planning Board of the Township of Union, Union County, State of New Jersey, adopted the Housing Element and Fair Share Plan of the Master Plan on June 25, 2009 and;

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the Housing Element and Fair Share Plan is attached pursuant to N.J.A.C. 5:95-2.2(a)2.

**NOW THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Union in the County of Union, State of NEW Jersey, hereby endorsed the Housing Element and Fair Share Plan as adopted by the Township of Union Planning Board; and


**BE IT RESOLVED** that the Governing Body of the Township of Union pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:95-3.2, submits this petition for substantive certification of the Housing Element and Fair Share Plan to the Council on Affordable Housing for review certification; and

**BE IT FURTHER RESOLVED** that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

**BE IT FURTHER RESOLVED** that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:95-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Township of Union's Municipal Clerk's office located at the Municipal Building, 1976 Morris Avenue, Union, New Jersey, during the hours of 8:30am and 4:30pm, Monday through Friday, for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:95-3.5.

I, EILEEN BIRCH, Township Clerk of the Township of Union, in the County of Union, do hereby certify that the above is a true copy of RESOLUTION NO. 2009-172, passed at a SPECIAL TOWNSHIP COMMITTEE meeting of said Township, held on the 30<sup>TH</sup> day of June, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township of Union, this 30<sup>th</sup> day of June, 2009.

  
\_\_\_\_\_  
EILEEN BIRCH  
Township Clerk

Approved as to form by  
Daniel Antonelli, Township Attorney



## **EXECUTIVE SUMMARY**

### **INTRODUCTION**

The Township of Union has prepared this Master Plan Housing Element and Fair Share Plan in accordance with the requirements of the Municipal Land Use Law (NJSA 40:55D-1 et seq.), the Fair Housing Act (NJSA 52:27D-310 et seq.), and the substantive rules of the Council on Affordable Housing (NJAC 5:97-1.1 et al). This document supersedes and replaces the Township's previous Master Plan Housing Element and Fair Share Plan, which was adopted in 2005.

After providing all necessary background information on the Township's demographic, housing, and economic characteristics, this document details the Township's fair share obligation. As explained in this Master Plan Housing Element and Fair Share Plan, the Township's fair share obligation consists of: an obligation to rehabilitate 199 units that are occupied by low and moderate income households; the total remaining obligation of 233 units, which was incurred from 1987 through 1999; and, the municipally-adjusted growth share obligation of 132 units. Thus, the Township's total fair share obligation is 564 units (Table A).

**Table A: Fair Share Obligation**

	<b>Units</b>
<b>Rehabilitation Obligation</b>	199
<b>Total Remaining Obligation from Prior Rounds</b>	+ 233
<b>Growth Share Obligation</b>	+ 132
<b>Total</b>	<b>= 564</b>

## **FULFILLMENT OF FAIR SHARE OBLIGATION**

The Fair Share Plan contained in this document outlines how the Township will fulfill its fair share obligation. The Township's approach to fulfilling its fair share obligation is three-pronged, and consists of an approach to fulfilling its rehabilitation obligation, its total remaining obligation from prior rounds, and its growth share obligation. The Township's strategy to fulfill each of these components is discussed below.

### ***Rehabilitation Obligation***

As detailed in the Fair Share Plan, the Township will fulfill its rehabilitation obligation of 199 units through its Housing Rehabilitation Program. The Township notes that it has partially satisfied this requirement through the rehabilitation of 87 units since 2000. The Township will leverage a mix of Community Development Block Grant (CDBG) entitlement funds, CDBG program income, and its Affordable Housing Trust Fund to completely satisfy its remaining rehabilitation obligation of 112 units through December 31, 2018.

### ***Total Remaining Obligation***

As its fulfillment strategy for the total remaining obligation of 233 units that was incurred from 1987 through 1999, the Township upholds and maintains its second round Master Plan Housing Element and Fair Share Plan, which COAH originally certified on September 4, 1996. The COAH-certified second round plan is outlined below (Table B).

**Table B: Fulfillment of Total Remaining Obligation**

	<b>Credits</b>
<b>Erhardt Gardens (Age-Restricted Rental; Prior Round Credits)</b>	231
<b>Lenox Meadows (Non-Age-Restricted Sale)</b>	+ 59
<b>Newtown Village (Age-Restricted Sale)</b>	+ 31
<b>Total New Construction Credits</b>	<b>321</b>
<b>Obligation</b>	- 233
<b>New Construction Credits Applied to Rehabilitation Obligation</b>	- 27
<b>Surplus Credits</b>	<b>61</b>

Source: Report Reviewing Motion for Extended Substantive Certification (COAH; February 18, 2005)

### ***Growth Share Obligation***

With regard to the fulfillment of the growth share obligation, it is noted that the Township's obligation will be satisfied by credit for existing group homes, credit for an existing age-restricted rental development, an accessory apartment program, a market-to-affordable program, the application of bonus credits, and the application of surplus credits from the Township's second round COAH-certified Master Plan Housing Element and Fair Share Plan. The Township's growth share obligation compliance strategy is outlined below (Table C).

**Table C: Fulfillment of Growth Share Obligation**

	<b>Credits</b>
<b>Surplus Credits from Second Round Plan (Non-Age-Restricted Sale)</b>	59
<b>Surplus Credits from Second Round Plan (Age-Restricted Sale)</b>	+ 2
<b>Nora Gardens (Age-Restricted Rental; 16 Units Applicable to Rental Obligation)</b>	+ 31
<b>The Center for Family Support of New Jersey (Group Home)</b>	+ 4
<b>Our House (Community Residences with Supervised Apartments)</b>	+ 12
<b>The Federation of Multicultural Programs of New Jersey (Group Home)</b>	+ 4
<b>Accessory Apartments (Non-Age-Restricted)</b>	+ 5
<b>Market-to-Affordable Program (Non-Age-Restricted Rental)</b>	+ 13
<b>Bonus Credits (Group Homes in Excess of Rental Obligation)</b>	+ 2
<b>Total Credits Provided<sup>1</sup></b>	<b>= 132</b>
<b>Growth Share Obligation</b>	<b>- 132</b>
<b>Remaining Growth Share Obligation</b>	<b>= 0</b>

Additionally, it is noted that pursuant to applicable COAH rules the following regulations also

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<sup>1</sup> In addition to the 132 credits provided toward the growth share obligation, there are an additional 69 affordable units provided within the Township. These units are located in the Nora Gardens development, which is discussed later in this document. These units are not applied to the Township's growth share obligation due to the limits on the maximum number of age-restricted units that can be credited towards the Township's growth share obligation.

**Master Plan Housing Element and Fair Share Plan**  
*Township of Union, Union County*

apply to the growth share obligation: minimum number of rental units; maximum number of age-restricted units; minimum number of units affordable to low income households; minimum number of units affordable to very low income households; and, maximum number of bonus credits. As indicated in the Fair Share Plan section of this document, the growth share compliance mechanisms described in Table C fulfill these additional requirements.

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## **HOUSING ELEMENT**

### **INTRODUCTION**

The Township of Union has prepared this Master Plan Housing Element and Fair Share Plan in accordance with the requirements of the Municipal Land Use Law (NJSA 40:55D-1 et seq.), the Fair Housing Act (NJSA 52:27D-310 et seq.), and the substantive rules of the Council on Affordable Housing (NJAC 5:97-1.1 et al). This document supersedes and replaces the Township's previous Master Plan Housing Element and Fair Share Plan, which was adopted in 2005.

This document is an essential part of the Township's Master Plan, since, according to the Municipal Land Use Law, municipalities must have a duly-adopted Master Plan Housing Element in order to zone and regulate land use. The adoption of a housing plan is also an integral step in obtaining substantive certification from the Council on Affordable Housing (COAH) pursuant to its substantive rules at NJAC 5:97-3.1.

Substantive certification is issued when COAH determines that a municipality's Master Plan Housing Element and Fair Share Plan are in accordance with the provisions of its substantive rules, its procedural rules (NJAC 5:96-1.1 et al), and the Fair Housing Act. Once COAH grants a municipality substantive certification, the community is deemed to have established a realistic opportunity for the provision of its fair share of the regional<sup>2</sup> need for housing that is affordable to low and moderate income households (fair share obligation), and is assured continued protection from builder's remedy lawsuits. COAH's grant of substantive certification is valid for a period of ten years, not to extend beyond December 31, 2019.

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<sup>2</sup> Union Township is located within COAH Region 2, which includes Essex, Morris, Warren and Union counties.



## **BACKGROUND TO THIS AMENDMENT OF THE TOWNSHIP HOUSING ELEMENT**

The Township of Union adopted its first Master Plan Housing Element and Fair Share Plan on January 5, 1987. This document addressed the Township's fair share obligation for the period from 1987 through 1993. After initially having been granted only conditional substantive certification, the Township amended the document and re-petitioned COAH for substantive certification, which was re-granted on November 28 of the same year.

On June 16, 1994, COAH adopted a new set of substantive rules (NJAC 5:93-1.1 et al). These rules provided for a consolidated approach to addressing the fair share obligations for the periods from 1987 through 1993 and 1994 through 1999, which are commonly known as COAH's first and second rounds. Pursuant to the adoption of these rules, Union prepared its second Master Plan Housing Element and Fair Share Plan, which was adopted on September 19, 1995. This document was granted substantive certification on September 4, 1996 for the six year period ending in 2002. The substantive certification was then extended on June 5, 2002 for an additional six years.

In 2004, COAH produced an additional set of substantive rules (NJAC 5:94-1.1 et al) for what is known as COAH's third round. The third round spans from 2000 through 2018, and addresses the fair share obligation by a measure of residential and non-residential development occurring from January 1, 2004 through December 31, 2018<sup>3</sup>.

On November 24, 2004, Union Township's governing body adopted a resolution and subsequently filed a motion with COAH seeking extended substantive certification in accordance with NJAC 5:95-12. In requesting the extension, Union committed to continue to implement its certified plan for addressing its fair share obligation for the first and second rounds. The Township also committed to prepare and file a plan addressing its fair share of affordable housing for the third round by December 20, 2005. COAH granted this request on March 9, 2005.

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<sup>3</sup> Full details are provided below in **MUNICIPAL FAIR SHARE OBLIGATION**.

**Master Plan Housing Element and Fair Share Plan**  
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In accordance with COAH's granting of extended substantive certification, Union prepared, adopted, and submitted a third round Master Plan Housing Element and Fair Share Plan in 2005. However, COAH subsequently adopted a revised set of substantive rules for the third round (NJAC 5:97-1.1 et al) that became effective in May 2008, and were further amended in October 2008. In addition, Governor Jon S. Corzine signed into law Assembly Bill A-500 (PL 2008, Ch. 46) in July 2008, which made further changes to COAH's regulations and requirements.

As a result of the above, the Township has prepared this new Master Plan Housing Plan Element and Fair Share Plan to conform to the new regulatory and statutory requirements. Thus, this plan represents the Township's response to COAH's revised third round regulations. It replaces the Township's 2005 Master Plan Housing Element and Fair Share Plan.

## **CONTENTS OF THE UNION TOWNSHIP HOUSING ELEMENT**

Pursuant to the Fair Share Housing Act, the essential components of a local housing element are as follows:

- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated.
- A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next six years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands.
- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level, and age.
- An analysis of the existing and probable future employment characteristics of the municipality.
- A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity accommodate its present and prospective housing needs, including its fair share for low and moderate income housing.
- A consideration of the lands most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

In addition, COAH's substantive rules for the third round also require the following:

- The household projection for the municipality as provided in Appendix F of N.J.A.C. 5:97.
- The employment projection for the municipality as provided in Appendix F of N.J.A.C. 5:97.
- The municipality's prior round obligation as provided in Appendix C of N.J.A.C. 5:97.
- The municipality's rehabilitation share as provided in Appendix B of N.J.A.C. 5:97.
- The projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

## ANALYSIS OF DEMOGRAPHIC, HOUSING AND EMPLOYMENT CHARACTERISTICS

In accordance with the provisions of COAH's substantive rules and the Fair Housing Act, this housing element contains the following discussion of the Township's demographic, housing, and economic characteristics. The information provided in this section has been compiled from the US Census Bureau, and the New Jersey Department of Labor and Workforce Development.

### *Union's Demographics*

At the time of the 2000 US Census, the Township of Union had a population of 54,405 residents (Table 1). This figure represents an 8.8 percent increase over the 50,024 residents that were counted at the time of the 1990 US Census. Though growth in Union Township has declined in the period from 2000 to 2007, it is projected<sup>4</sup> that the 2018 Township population will reach 54,561 residents, which represents an increase of 499 residents over the 2007 population. This represents a population increase of just 0.3 percent from 2000 to 2018, which is statistically insignificant and indicative of Union's built-out character.

**Table 1: Population Trends, 1990-2018**

	1990	2000	2007	2018	% Change 1990-2000	% Change 2000-2007	% Change 2000-2018
<b>Township of Union</b>	50,024	54,405	54,062	54,561	8.8	-0.6	0.3

Source: US Census Bureau (1990, 2000 and 2007); T&M Associates (2018)

According to the 2000 US Census, the Township's population is composed of 19,534 households (Table 2). The Township's average household size of 2.71 members is less than the County's, but slightly greater than the State's. Additionally, it is noted that the Township's percentage of population that is 65 years or older, 17.3 percent, is significantly greater than the percentages that are represented at the County and State levels. The median household income of Union Township, which at the time of the 2000 US Census was \$59,173, is also significantly higher than the median household income at the County and State levels. Similar to median household

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<sup>4</sup> This projection is obtained by multiplying the household growth calculated by COAH Workbook C (Appendix A) by the average household size in the Township during 2000 (as reported in Table 2), and adding the product to the Township's 2007 population (as reported in Table 1). This operation is expressed as: 184 Unit Growth to 2018 \* 2.71 Members in the Average Household + 54,062 Residents in 2007 = 54,561 Residents in 2018.

income and the percentage of population that is 65 years or older, the median age of 38.7 years that describes Union's residents is also higher than at the County and State levels.

**Table 2: Demographic Indicators, 2000**

	Number of Households	Average Household Size	Median Age	% of Population ≥ 65 years	Median Household Income
<b>Township of Union</b>	19,534	2.71	38.7	17.3	\$59,173
<b>Union County</b>	186,124	2.77	36.6	13.8	\$55,339
<b>New Jersey</b>	3,064,645	2.68	36.7	13.2	\$55,146

Source: US Census Bureau

With regard to the age-structure of the Township's population, the 2000 US Census reported that there were 2,994 pre-school age children in Union, which was 5.5 percent of the total population (Table 3). School age children accounted for 10,706 residents, or 19.8 percent of the total population. Working age individuals accounted for 31,278 residents, or 57.6 percent of the total population. Finally, those aged 65 years or older accounted for 9,427 residents, which equated to 17.4 percent of the 2000 population.

**Table 3: Population by Age, 2000**

	Number	% of Total
<b>Pre-School Age</b>		
Under 5 Years	2,994	5.5
<b>School Age</b>		
5 to 9 Years	3,568	6.6
10 to 14 Years	3,538	6.6
15 to 19 Years	3,600	6.6
<b>Working Age</b>		
20 to 24 Years	3,242	6.0
25 to 34 Years	6,964	12.8
35 to 44 Years	8,960	16.5
45 to 54 Years	7,349	13.5
55 to 59 Years	2,597	4.8
60 to 64 Years	2,166	4.0
<b>Senior Age</b>		
65 Years and Older	9,427	17.4

Source: US Census Bureau

### ***Union's Housing Stock***

According to the 2000 US Census, Union had a total of 20,001 housing units (Table 4). This was an increase of 667 units since the 1990 US Census. Of the total number of housing units in existence at the time of the 2000 US Census, 19,534 units, or 97.7 percent, were listed as

occupied; owners occupied 76.5 percent of these units, while renters occupied 23.5 percent. The percentage of renter-occupied units is lower than at the County level, where 38.4 percent of all occupied housing units are occupied by renters.

The 2000 US Census reported an average household size in Union Township of 2.71 persons, and an average family size of 3.25 persons. These sizes are lower than the corresponding figures for the County, but higher than those for the State. Of the total number of households, family households accounted for 14,164, or 72.5 percent, and non-family households<sup>5</sup> accounted for 5,370, or 27.5 percent.

A total of 69.3 percent of the Township's housing stock was constructed before 1960, and the median year of construction reported by the 2000 US Census was 1953. The median year of construction is equal to that of the County, but less than that of the State, where it is 1962.

In addition to the above, it is noted that the Township's housing stock is in fair condition. This is evidenced by the fact that the rehabilitation share of old, overcrowded and deficient housing that COAH has assigned to Union Township is just 199 units, which represents slightly less than one percent of all housing units. Further evidence of the fair condition of the Township's housing stock is provided by the fact that the 2000 US Census reported that only 47 units lacked complete plumbing facilities, and that only 50 units lacked complete kitchen facilities. It is also noted that only 3.2 percent of all occupied units reported overcrowded conditions (1.01 occupants or more per room) at the time of the 2000 US Census. Though these conditions characterize only a small part of the overall housing stock, measures should be taken to eliminate them.

Regarding housing values, it is noted that the median value of the owner occupied housing units in Union during 2000 was \$172,900. This is less than the County median value of \$188,800, but more than the State median value of \$170,800. Union Township's median gross rent of \$844 is

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<sup>5</sup> A non-family household is present when a householder lives alone, or when the householder shares the home exclusively with people to whom he or she is not related.

also higher than the County and State median gross rents of \$752 and \$751, respectively.

**Table 4: Housing Characteristics, 2000**

	Number	% of Total
<b>Housing Units</b>		
Number of Units	20,001	100.0
Occupied Housing Units	19,534	97.7
Vacant Housing Units	467	2.3
Number of Units (1990)	19,334	100.0
<b>Occupancy/Household Characteristics</b>		
Number of Households	19,534	100.0
Persons Per Household	2.71	N/A
Family Households	14,164	72.5
Non-Family Households	5,370	27.5
<b>Year Structure Built</b>		
1999 to March 2000	298	1.5
1995 to 1998	202	1.0
1990 to 1994	266	1.3
1980 to 1989	1,153	5.8
1970 to 1979	1,273	6.4
1960 to 1969	2,950	14.7
1940 to 1959	9,992	50.0
1939 or Earlier	3,867	19.3
<b>Condition of Units</b>		
Lacking Complete Plumbing Facilities	47	0.2
Lacking Complete Kitchen Facilities	50	0.3
<b>Home Value (Owner-Occupied Units)</b>		
\$300,000 or More	130	1.0
\$200,000 - \$299,999	2,842	21.9
\$150,000 - \$199,000	7,281	56.1
\$100,000 - \$149,000	2,221	17.1
\$50,000 - \$99,999	385	3.0
\$0 - \$49,999	128	1.0
<b>Median Value</b>	\$172,900	N/A
<b>Rental Value (Renter-Occupied Units)</b>		
\$1,000 or More	1,305	28.5
\$750 - \$999	1,591	34.7
\$500 - \$749	891	19.4
\$200 - \$499	490	10.7
< \$200	93	2.0
No Cash Rent	219	4.8
<b>Median Rent</b>	\$844	N/A

Source: US Census Bureau

Housing units that have a monthly cost of less than 30 percent of gross household income are considered to be affordable. In the Township of Union, a total of 69.4 percent of all owner-occupied housing units and 58.6 percent of renter-occupied housing units are considered

affordable (Table 5).

**Table 5: Housing Affordability as a Percentage of 1999 Household Income**

	Number	% of Total
<b>Selected Monthly Owner Costs</b>		
< 15%	3,195	24.6
15% to 19%	2,201	16.9
20% to 24%	1,956	15.1
25% to 29%	1,668	12.8
30% or More	3,888	29.9
Not Computed	79	0.6
<b>Gross Rent</b>		
< 15%	753	16.4
15% to 19%	648	14.1
20% to 24%	687	15.0
25% to 29%	601	13.1
30% or More	1,621	35.3
Not Computed	279	6.1

Source: US Census Bureau

### *Union's Employment Characteristics*

At the time of the 2000 US Census, 26,135, or 48.0 percent, of Union Township's residents aged 16 and over were employed in the civilian labor force (Table 6). Of those who are employed in the civilian labor force: 37.9 percent are in management, professional, and related occupations; 12.1 percent are in service occupations; 31.1 percent are in sales and office occupations; 7.9 percent are in construction, extraction, and maintenance occupations; and, 11.0 percent are involved in production, transportation, and material moving occupations.

**Table 6: Occupation of Employed Civilian Population Aged 16 and Over, 2000**

	Number	% of Total
<b>Management, Professional, Related</b>	9,906	37.9
<b>Service</b>	3,150	12.1
<b>Sales, Office</b>	8,130	31.1
<b>Farming, Fishing, Forestry</b>	0	0.0
<b>Construction, Extraction, Maintenance</b>	2,071	7.9
<b>Production, Transport., Material Moving</b>	2,878	11.0

Source: US Census Bureau

In 1999, the median household income in Union was \$59,173 (Table 7). While no precise recording of median household income at the municipal level has been made subsequent to 1999,



the US Census Bureau has estimated that from 2005 to 2007<sup>6</sup>, the Township of Union's median household income had risen to \$68,979<sup>7</sup>. At first glance this may seem like a significant increase. However, it is noted that when these values are inflation-adjusted to 2009 dollars<sup>8</sup>, there has actually been a decrease in purchasing power of 6.33 percent.

**Table 7: Household Income, 1999**

	Number	% of Total
< \$10,000	933	4.8
\$10,000 to \$14,999	1,052	5.4
\$15,000 to \$24,999	1,780	9.1
\$25,000 to \$34,999	1,921	9.8
\$35,000 to \$49,999	2,537	13.0
\$50,000 to \$74,999	4,378	22.4
\$75,000 to \$99,999	3,074	15.7
\$100,000 to \$149,999	2,736	14.0
\$150,000 to \$199,999	751	3.8
\$200,000 or More	369	1.9
<b>Median Household Income (Dollars)</b>	\$59,173	N/A

Source: US Census Bureau

With regard to the number of jobs that are located within the Township, it is noted that the New Jersey Department of Labor and Workforce Development indicates that there was an average of 31,500 jobs located within the municipality during 2007, which is the latest data available. This represents a decrease of slightly more than 10.5 percent over the 2004 average of 35,213 jobs. The Department of Labor and Workforce Development's basis for this information is jobs that are covered by public unemployment and disability insurance.

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<sup>6</sup> 2005 to 2007 three year estimates of the US Census Bureau are based on data collected over a 3-year time period. The estimates represent the average characteristics of population and housing between January 2005 and December 2007 and do not represent a single point in time.

<sup>7</sup> This figure is expressed in 2007 dollars.

<sup>8</sup> The 1999 median household income of \$59,173 has the same purchasing power as \$75,550 in 2009. The 2005 to 2007 estimate of median household income has the same purchasing power as \$70,765 in 2009.

## **MUNICIPAL FAIR SHARE OBLIGATION**

COAH's substantive rules stipulate that a municipality's fair share obligation to plan for and provide affordable housing is comprised of three components, namely: the rehabilitation share of old, overcrowded and deficient housing that is occupied by low and moderate income households; the total remaining obligation from the first and second rounds of the COAH process, which lasted from 1987 through 1999; and, the growth share obligation, which is based on the number of individuals projected to need affordable housing during the third round and links its production with residential and non-residential development occurring from January 1, 2004 through December 31, 2018.

### ***Rehabilitation Obligation***

In Appendix B of NJAC 5:97, COAH estimates that Union Township's rehabilitation share is 199 units. The Township's rehabilitation obligation will be addressed in the Fair Share Plan.

### ***Total Remaining Obligation***

In Appendix C of NJAC 5:97, COAH indicates that the Township's total remaining obligation from the first and second rounds is 233 affordable units. The Township's total remaining obligation will be addressed in its Fair Share Plan.

### ***Growth Share***

COAH estimates that the Township's growth share obligation is 827 affordable units. COAH's estimate is based on a projected growth of 1,522 households and 8,365 jobs within the Township during the period from January 1, 2004 through December 31, 2018. Full details of COAH's estimation of the Township's growth share are provided in Appendix A.

The Township of Union does not accept COAH's projections of household and employment growth, and resulting growth share obligation. The Township of Union notes that it is a developed community with insufficient vacant land to accommodate the growth that has been projected by COAH. Consequently, the Township exercises its right under NJAC 5:97-5.6(a) to seek a downward adjustment of COAH's household and employment growth projections.

Accordingly, the Township has prepared an analysis of privately- and municipally-owned vacant land in accordance with the provisions of NJAC 5:97-5.6 and determined that Union's growth potential for the period from January 1, 2004 through December 31, 2018 is 184 households and 1,525 jobs<sup>9</sup>. This results in a growth share obligation of 132 affordable units (Table 8).

**Table 8: Calculation of Growth Share Obligation**

	<b>Growth</b>	<b>Divisor (÷)</b>	<b>Obligation</b>
<b>Residential Growth Share</b>	184	5	37
<b>Non-Residential Growth Share</b>	1,525	16	95
<b>Total Growth Share Obligation</b>			<b>132</b>

Source: Township Analysis

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<sup>9</sup> Full details of this analysis are provided in Appendix A, which includes a full copy of COAH Workbook C, as well as mapping of vacant lands and current land use patterns within the Township.

## **MUNICIPAL ABILITY TO ACCOMMODATE FAIR SHARE OBLIGATION**

The new construction portion of the Township's fair share obligation is comprised of the 233-unit total remaining obligation from prior rounds and the 132-unit growth share obligation. This represents a combined total of 365 affordable units.

It is noted that the Township has a COAH-certified second round Master Plan Housing Element and Fair Share Plan, which addresses its total remaining obligation of 233 units, and provides a surplus of 61 credits for affordable housing that was provided in excess of COAH requirements<sup>10</sup>. The Township will satisfy the new construction portion of its fair share obligation through these surplus credits, credit for existing group homes, credit for an existing age-restricted rental development, an accessory apartment program, a market-to-affordable program, and the application of bonus credits.

### ***Anticipated Land Use Patterns***

The Township of Union is built-out and there is little remaining vacant developable land. This is confirmed by a recent digital geographic analysis, which indicates that the Township of Union has approximately 85.5 acres of privately- and municipally-owned vacant lands. Slightly less than 45 acres of these lands are environmentally constrained by wetlands, floodplains, steep slopes, and stream corridors, which results in a net buildable acreage of approximately 40.5 acres. Of these lands, 26.7 acres are zoned for residential uses, and 13.7 acres are zoned for non-residential uses. All of the vacant developable land is located within Planning Area 1 (Metropolitan Planning Area) of the New Jersey State Development and Redevelopment Plan (State Plan). The anticipated land use pattern of these lands is projected to be the adopted land use and zone plans of the Township, both of which have been found to be compatible with the State Plan.

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<sup>10</sup> Full details are provided below in **FULLFILLMENT OF THE TOTAL REMAINING OBLIGATION FROM PRIOR ROUNDS** and **FULLFILLMENT OF THE GROWTH SHARE OBLIGATION**.

***Anticipated Demand for Types of Uses Permitted by Zoning***

As reported above, it is projected that the Township's population will grow by 499 residents through 2018. Given the projected increase in the Township's population, it is anticipated that there will be a commensurate demand for new residential uses. It is also anticipated that the projected population increase will generate an commensurate demand for general commercial space, including, but not limited to, space for office and retail uses.

***Availability of Existing and Planned Infrastructure***

The Township has an existing developed infrastructure of roads and services within Planning Area 1 of the State Plan. Without exception, the vacant developable lands within the Township are located on, or within close proximity to, existing roadways.

With regard to the availability of water and sewer service, it is noted that the entire Township is located within a State-mapped sewer service area. Although some improvements and upgrades may be required, the water and sewer system in these areas is believed to have adequate capacity to handle anticipated growth.

***Municipal Economic Development Policies***

Economic Development within the Township of Union is spearheaded by the Township's Department of Economic Development, which provides organizational structure to formulate policy relevant to the industrial and commercial areas of the Township. Its main goal is to promote and revitalize the Township by attracting and retaining industrial and commercial investment, while increasing Union's economic base and creating job expansion.

In addition to the above, the Department of Economic Development is also charged with the preparation and coordination of applications for State and federal aid to the Township. The Department's activities within this arena help to bring governmental investment to Union Township in the form of grants for a variety of purposes, including, but not limited to, environmental cleanups and land improvements.

Economic Development within the Township is also advanced by the Union Center Special

Improvement District. The Special Improvement District is intended to revitalize downtown Union's commercial areas through a variety of initiatives, including the promotion of Union's businesses through downtown fairs and other events.

### ***Constraints on Development***

Constraints on development include: wetlands; floodplains; state-regulated stream buffers; habitat areas of threatened or endangered species; and, steep slope constraints. Additional constraints in the Township include sites listed on the New Jersey Register of Historic Places, and those resulting from the presence of known contaminated sites.

### ***Existing or Planned Measures to Address Constraints on Development***

The State of New Jersey regulates wetlands, floodplains, stream buffers, and habitat areas, as well as known contaminated and historic sites. In addition, the Township has local regulations for floodplains, stormwater management, and steep slopes.

Steep slope constraints within the Township are regulated by Article XXXI, Section 170-269 et seq. of the Code of the Township of Union. The purpose of these regulations is to limit erosion, prevent excessive runoff, and protect surface water quality. They are also intended to maintain natural topography and drainage patterns.

The Township's steep slope regulations apply to all land with a gradient that is greater than or equal to twenty percent, as measured over any minimum run of ten feet. Given their overall goal of protecting the environment, the Township of Union intends to strictly enforce, and has no plans to relax, these regulations.

## **IDENTIFICATION OF POTENTIAL AFFORDABLE HOUSING SITES**

This Master Plan Housing Element and Fair Share Plan takes into consideration the lands of the Township that are most appropriate for the construction of low and moderate income housing, and the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing. The Township has also considered the proposal of a developer (ARC Union, LLC) to provide affordable housing as part of an inclusionary development on one site.

ARC Union, LLC proposes to develop Block 5009, Lot 1 and Block 5001, Lot 16 in the I (Industrial) Zone of the Township as an inclusionary residential development consisting of 284 multifamily residential rental units with an unspecified set-aside for affordable housing. The site was previously granted use variance approval by the Township Zoning Board of Adjustment in 2005 to construct 172 market rate townhouse units with no set-aside.

In April 2009, ARC Union filed a complaint seeking a builder's remedy to develop Block 5009, Lot 1 and Block 5001, Lot 16 at a substantially increased density as a multifamily rental development.

Inclusion of the ARC Union development is not now, nor was it ever, needed to provide a realistic opportunity within the Township to address the Township's fair share of the regional need for affordable housing. The Township, as evidenced by its previous COAH-certified housing plans and its generation of a surplus of affordable housing credits, has been in compliance with its housing obligations since 1987.

Union Township is a fully developed municipality. This Master Plan Housing Element and Fair Share Plan addresses the Township's fair share obligation by relying on the mechanisms that are the most appropriate to the Township. As stated by the Supreme Court in Mount Laurel II:

*The application of the Mount Laurel doctrine to fully developed municipalities will undoubtedly pose difficult problems. We note only that sound land use planning and Mount Laurel should remain compatible both at the state and*

*municipal level, and that, in particular, where fully developed municipalities are involved, great care may be required to assure that the benefit of Mount Laurel development is not offset by damage to legitimate zoning and planning objectives.*

**(92 NJ 158; Footnote 15)**



## FAIR SHARE PLAN

### INTRODUCTION

The Fair Share Plan describes the mechanisms by which the Township of Union will address the fair share obligation that has been established in the Master Plan Housing Element. This Fair Share Plan has been prepared in accordance with COAH's substantive rules at NJAC 5:97-3.1 et al.

#### *Components of the Fair Share Obligation*

As previously noted, COAH's third round substantive rules stipulate that a municipality's fair share obligation is comprised of three components: the rehabilitation share of old, overcrowded and deficient housing that is occupied by low and moderate income households; the total remaining obligation from the first and second rounds of the COAH process, which lasted from 1987 through 1999; and, the growth share obligation, which is based on the number of individuals projected to need affordable housing during the third round and links its production with residential and non-residential development occurring from January 1, 2004 through December 31, 2018.

As indicated in Appendix B of NJAC 5:97, COAH has assigned a rehabilitation obligation of 199 units to Union Township. Appendix C of NJAC 5:97 indicates that the Township's total remaining obligation from prior rounds is 233 affordable units. The Township's growth share obligation, as demonstrated in the Master Plan Housing Element, is 132 affordable units. Each of these components is addressed below.

## **FULFILLMENT OF THE REHABILITATION OBLIGATION**

The Township's rehabilitation obligation is 199 units. Since 2000, the Township has partially satisfied its rehabilitation component with the rehabilitation of a total of 87 units through its Housing Rehabilitation Program. The Township will leverage a mix of Community Development Block Grant (CDBG) entitlement funds, CDBG program income, and its Affordable Housing Trust Fund to completely satisfy its remaining rehabilitation obligation of 112 units through December 31, 2018.

## **FULFILLMENT OF THE TOTAL REMAINING OBLIGATION FROM PRIOR ROUNDS**

The Township's total remaining obligation from prior rounds is 233 units. The Township notes that it has addressed this obligation in its second round Master Plan Housing Element and Fair Share Plan, which COAH originally certified on September 4, 1996. The Township further notes that the compliance mechanisms outlined in its COAH-certified second round Master Plan Housing Element and Fair Share Plan yield a surplus of 61 credits (Table 9).

**Table 9: Fulfillment of the Total Remaining Obligation from Prior Rounds**

	<b>Credits</b>
<b>Erhardt Gardens (Age-Restricted Rental; Prior Round Credits)</b>	231
<b>Lenox Meadows (Non-Age-Restricted Sale)</b>	+ 59
<b>Newtown Village (Age-Restricted Sale)</b>	+ 31
<b>Total New Construction Credits</b>	<b>321</b>
<b>Obligation</b>	- 233
<b>New Construction Credits Applied to Rehabilitation Obligation</b>	- 27
<b>Surplus Credits</b>	<b>61</b>

Source: Report Reviewing Motion for Extended Substantive Certification (COAH; February 18, 2005)

## FULFILLMENT OF THE GROWTH SHARE OBLIGATION

The Township has projected a growth share obligation of 132 affordable units. Pursuant to applicable COAH regulations, the following additional requirements or limitations apply to the Township's growth share obligation:

- **Minimum Rental Obligation:** At least 33 units must be rental units in accordance with NJAC 5:97-3.4, of which at least 17 units must be non-age-restricted rental units.
- **Maximum Age-restricted Units:** No more than 33 units may be age-restricted units.
- **Low and Moderate Income Split:** At least 66 units must be designated for low income households as per NJAC 5:97-3.3.
- **Very Low Income Requirement:** At least 18 units must be designated for very low income households<sup>11</sup>, of which no more than nine (9) may be age-restricted or within group homes and community residences.
- **Maximum Bonus Credits:** No more than 33 units may be satisfied by bonus credits.

The Township's strategy to meet its projected growth share obligation will be satisfied by credit for existing group homes, credit for an existing age-restricted rental development, an accessory apartment program, a market-to-affordable program, the application of bonus credits, and the application of surplus credits from the Township's second round COAH-certified Master Plan Housing Element and Fair Share Plan pursuant to NJAC 5:97-4.1(a).

### *Application of Surplus Credits*

The Township's COAH-certified second round Master Plan Housing Element and Fair Share Plan included a total of 61 surplus credits. Pursuant to NJAC 5:97-4.1(a), the Township has included these surplus credits among its compliance mechanisms for the growth share obligation.

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<sup>11</sup> Pursuant to official correspondence from COAH, these 18 units may be included within the 66 units that must be designated for low income households ([state.nj.us/dca/affiliates/coah/regulations/nrdf/081030letter.pdf](http://state.nj.us/dca/affiliates/coah/regulations/nrdf/081030letter.pdf)).

Specifically, the Township includes surplus credits for 59 non-age-restricted sale units in Lenox Meadows, and two (2) age-restricted sale units in Newtown Village. The Township notes that the affordability controls for each of these developments will remain in place for the duration of the third round period.

### ***Group Homes and Community Residences***

Pursuant to NJAC 5:97-4.3(c), the Township includes group homes within its growth share obligation compliance strategy. In total, there are four (4) group homes that produce a total of twenty (20) affordable housing credits for very low income housing toward the Township's rental obligation. Each group home is discussed below:

**The Center for Family Support of New Jersey:** The Center for Family Support of New Jersey operates a group home at 2246 Balmoral Avenue (Block 5107, Lot 16)<sup>12</sup>. The group home has a total of four (4) bedrooms for individuals with developmental disabilities. Funding is provided by the Division of Developmental Disabilities of the New Jersey Department of Human Services, and the State holds a 20-year lien on the property. This property generates a total of four (4) affordable housing credits.

**Our House, Inc:** Our House operates community residences at 1470 Burnet Avenue (Block 5712, Lot 12) and 349 Trotting Road (Block 405, Lot 13)<sup>13</sup>. Each residence contains two (2) supervised apartments with three (3) bedrooms for unrelated adults with developmental disabilities. Funding is provided by the Division of Developmental Disabilities of the New Jersey Department of Human Services, and the State holds a 20-year lien on the property. These properties generate a total of twelve (12) affordable housing credits.

**The Federation of Multicultural Programs of New Jersey, Inc.:** The Federation of Multicultural Programs of New Jersey operates a group home at 1963 Mountainview Avenue

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<sup>12</sup> This property was issued a certificate of occupancy on July 17, 2007.

<sup>13</sup> The Burnet Avenue property was issued a certificate of occupancy on September 7, 2000; the Trotting Road property was issued a certificate of occupancy on December 18, 1995.

(Block 2301, Lot 10)<sup>14</sup>. The group home has a total of four (4) bedrooms for individuals with developmental disabilities. Funding is provided by the Division of Developmental Disabilities of the New Jersey Department of Human Services and the State holds a 20-year lien on the property. This property generates a total of four (4) affordable housing credits.

### ***Accessory Apartments***

Pursuant to NJAC 5:97-6.8, the Township includes an accessory apartment program as part of its growth share compliance strategy. This program will be established by ordinance to provide accessory apartments to low and moderate income households within the Township, and will generate five (5) credits for non-age-restricted rentals toward the fulfillment of the Township's growth share obligation.

In accordance with NJAC 5:97-6.8(b)2, the Township will provide a minimum of \$20,000 to subsidize the creation of each moderate income accessory apartment, and \$25,000 to subsidize the creation of each low income accessory apartment. These accessory apartments will be provided within the following areas: Block 4001, lots 3 through 6; Block 5806, lots 31.01 through 39; Block 5807, lots 43.01 through 56; Block 5807, lots 89 through 98; and, Block 5823, lots 1 through 13.

### ***Market-to-Affordable Program***

Pursuant to the regulations promulgated by NJAC 5:97-6.9, the Township includes a market-to-affordable program as part of its compliance strategy. This program will generate a total of thirteen (13) non-age-restricted rentals toward the fulfillment of the Township's growth share obligation. A total of nine (9) units generated by the market-to-affordable program will be affordable to very low income households.

The market-to-affordable program will include units that are purchased, or subsidized, through a written agreement with the property owner, and rented to low and moderate income households. In accordance with the regulations promulgated by NJAC 5:97-6.9(b)3, the Township will

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<sup>14</sup> This property was issued a certificate of occupancy on April 29, 1998.

provide a minimum of \$25,000 to subsidize the creation of each moderate income unit, and \$30,000 to subsidize the creation of each low income unit. Additional subsidies will be provided, where needed, for the creation of very low income units.

The Township notes that based upon NJAC 5:97-6.9(b)4, the Township's market-to-affordable program would normally be limited to thirteen (13) units. However, the Township reserves its right to amend its growth share compliance strategy to include additional market-to-affordable units, in place of accessory apartments, at such time as the Township has demonstrated a record of success with this program. It is noted that the provisions of NJAC 5:97-6.8(b)4 permit increases in the number of market-to-affordable units that a municipality may provide if it has demonstrated a successful history of a market-to-affordable program.

### ***Nora Gardens***

Pursuant to NJAC 5:97-4.3(a)2 and the aforementioned limits on age-restricted units, the Township includes a total of 31 affordable housing credits generated by Nora Gardens within its growth share compliance strategy, of which 16 partially satisfy the Township's rental obligation. Nora Gardens is a 100-unit, age-restricted rental property that is funded by the United States Department of Human and Urban Development's Supportive Housing for the Elderly Program (Section 202). The property received its certificate of occupancy on March 18, 1999, and affordability controls of 30 years are in place.

In addition to the above, it is noted that Nora Gardens provides units for households with very low incomes. As indicated above, Nora Gardens was financed with funds from the United States Department of Human and Urban Development's Supportive Housing for the Elderly Program (Section 202). This program is intended to expand the supply of affordable housing with supportive services for the very low income elderly. Occupancy in Section 202-funded housing is limited to very low income households comprised of at least one person who is at least 62 years old at the time of initial occupancy.

### ***Application of Bonus Credits***

Pursuant to NJAC 5:97-3.6(a), a municipality may receive 1.25 units of credit for each bedroom

in supportive and special needs housing that is provided in excess of the municipal rental obligation, and was, or will be, created and occupied after June 6, 1999.

The Township's rental obligation of 33 units is fulfilled by the Township's proposed accessory apartment program, market-to-affordable program, and the application of credits generated by Nora Gardens. Therefore, the aforementioned group homes are considered to be in excess of the Township's rental obligation. Of the aforementioned group homes, two were created and occupied after June 6, 1999, namely: The Center for Family Support of New Jersey's group home at 2246 Balmoral Avenue; and, Our House's community residence at 1470 Burnet Avenue. Consequently, the Township of Union includes a total of two (2) rental bonus credits in its compliance plan.

#### ***Additional Measures***

Given that it is a fully developed municipality and the current economic climate, the Township anticipates that actual growth will not exceed the projected growth share, as adjusted in accordance with COAH's regulations. However, to help ensure that the provision of affordable housing is commensurate with actual growth the Township will amend its development regulations to include a growth share requirement for residential development, and impose a mandatory set-aside for affordable housing development in accordance with COAH's rules and regulations.

#### ***Development Fee Ordinance***

The Township has an existing affordable housing development fee ordinance, which will be amended in accordance with COAH regulations and the Statewide Mandatory Development Fee Act. The Township will collect fees and administer its Affordable Housing Trust Fund in accordance with all applicable COAH regulations.

### *Summary of Components Addressing the Growth Share*

Table 10 summarizes the manner in which the Township will address its growth share obligation:

**Table 10: Fulfillment of the Growth Share Obligation**

	<b>Credits</b>
<b>Surplus Credits from Second Round Plan (Non-Age-Restricted Sale)</b>	59
<b>Surplus Credits from Second Round Plan (Age-Restricted Sale)</b>	+ 2
<b>Nora Gardens (Age-Restricted Rental; 16 Units Applicable to Rental Obligation)</b>	+ 31
<b>The Center for Family Support of New Jersey (Group Home)</b>	+ 4
<b>Our House (Community Residences with Supervised Apartments)</b>	+ 12
<b>The Federation of Multicultural Programs of New Jersey (Group Home)</b>	+ 4
<b>Accessory Apartments (Non-Age-Restricted)</b>	+ 5
<b>Market-to-Affordable Program (Non-Age-Restricted Rental)</b>	+ 13
<b>Bonus Credits (Group Homes in Excess of Rental Obligation)</b>	+ 2
<b>Total Credits Provided<sup>15</sup></b>	<b>= 132</b>
<b>Growth Share Obligation</b>	<b>- 132</b>
<b>Remaining Growth Share Obligation</b>	<b>= 0</b>
<b>Total Credits Non-Age-Restricted Sale</b>	59
<b>Total Credits Age-Restricted Sale</b>	2
<b>Total Credits Non-Age-Restricted Rental (18 Non-Age Restricted; 20 Group Homes)</b>	38
<b>Total Credits Age-Restricted Rental</b>	16
<b>Total Bonus Credits</b>	2
<b>Total Affordable Units<sup>16</sup></b>	199
<b>Total Very Low Income Units<sup>17, 18</sup></b>	129

The Township has demonstrated fulfillment of its growth share obligation (Table 10). While Union

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<sup>15</sup> In addition to the 132 credits provided toward the growth share obligation, there are an additional 69 affordable units provided within the Township. These units are located in the Nora Gardens development. These units are not applied to the Township's growth share obligation due to the limits on the maximum number of age-restricted units that can be credited towards the Township's growth share obligation.

<sup>16</sup> This figure includes a total of 69 affordable units in the Nora Gardens development that are not applied to the Township's growth share obligation due to limits on the maximum number of age-restricted units that can be credited towards the Township's growth share obligation.

<sup>17</sup> This figure includes a total of nine (9) credits for very low income housing that is not age-restricted or located within group homes or community residences.

<sup>18</sup> This figure includes a total of 69 affordable units in the Nora Gardens development that are not applied to the Township's growth share obligation due to limits on the maximum number of age-restricted units that can be credited towards the Township's growth share obligation.



maintains that it has both accurately projected its growth share and presented viable compliance mechanisms, the Township reserves its present and future rights to amend any part of this Master Plan Housing Element and Fair Share Plan, including its projection of the growth share obligation and proposed compliance mechanisms.

**APPENDIX A:**  
**COAH WORKBOOK C**  
**AND ACCOMPANYING MAPPING**

## **Summary of Adjusted Growth Share Projection Based On Land Capacity**

### **(Introduction to Workbook C)**

**Municipality Name:** Union Township (Union Co.)

This workbook contains two separate worksheets to be used for determining the projected Municipal Growth Share Obligation. Worksheet A must be completed by all municipalities. The Worksheet is a tool that allows the user to enter COAH-generated Growth Projections included in Appendix F(2) of the revised Third Round Rules to determine the projected Growth Share Obligation after applying exclusions permitted by N.J.A.C. 5:97-2.4. Municipalities that accept the COAH-generated Growth projections need only use Worksheet A.

[Click Here to complete Worksheet A](#)

Municipalities seeking to request a downward adjustment to the COAH-generated growth projections may do so by providing a detailed analysis of municipal land capacity. After completing this analysis, the growth projections may be lowered if the resulting growth share obligation results in a figure that is at least 10 percent lower than the projected Growth Share Obligation that would result from the COAH-generated growth projections. Actual growth must first be determined using the Actual Growth worksheet. A growth projection adjustment may only apply to any remaining growth.

[Click Here to Enter Actual Growth to Date](#)

[Click Here to Complete the Residential Parcel Inventory and Capacity Analysis](#)

[Click Here to Complete the Non-residential Parcel Inventory and Capacity Analysis](#)

### **Summary Of Worksheet Comparison**

	<b>COAH Projected Growth Share</b> (From Worksheet A)	<b>Growth Share Based on Municipal Capacity</b> (From Worksheet C)
Residential Growth	1,522	184
Residential Exclusions	0	0
Net Residential Growth	1,522	184
Residential Growth Share	304.40	36.81
Non-Residential Growth	8,365	1,525
Non-Residential Exclusions	0	0
Net Non- Residential Growth	8,365	1,525
Non-Residential Growth Share	522.81	95.29
Total Growth Share	827	132

**The Municipal land capacity analysis results in a reduction to the COAH-generated growth projection. Please file Workbook C and use a Residential Growth Share of 36.81 plus a Non-residential Growth Share of 95.29 for a total Growth Share Obligation of 132 affordable units**

## Growth Projection Adjustment - Actual Growth

**Municipality Name:      Union Township (Union Co.)**

<b>Actual Growth 01/01/04 to Present</b>				
Residential COs Issued	54			
Non-residential CO's by Use Group		Square Feet Added (COs Issued)	Square Feet Lost Demolition Permits Issued)	Jobs/1,000 SF      Total Jobs
B		162532	24425	2.8      386.70
M		91264	35421	1.7      94.93
F		0	0	1.2      0.00
S		7600	80790	1.0      -73.19
H		0	0	1.6      0.00
A1		1467	0	1.6      2.35
A2		5051	0	3.2      16.16
A3		11200	12000	1.6      -1.28
A4		0	0	3.4      0.00
A5		0	0	2.6      0.00
E		52155	0	0.0      0.00
I		0	0	2.6      0.00
R1		0	0	1.7      0.00
<b>Total</b>		<b>331269</b>	<b>152636</b>	<b>426</b>

[Return to Growth Projection Adjustment Summary Screen](#)

[Proceed to Inventory of Vacant Residential Land](#)

[Proceed to Inventory of Non-residential Land](#)

**Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory**

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	<a href="#">HUC 11 NO3 Density*</a>	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
4906	19	1333 GLENDALE PL	MILLER, JEFFREY	1	N	Y		0.43	0.00		0.43	8.00	3.43
1103	2	628 SALEM RD	LEDDY, THOMAS P & BERNICE M	1	N	Y		0.14	0.00		0.14	8.00	1.11
1103	3	624 SALEM RD	OZOL, IDA H	1	N	Y		0.15	0.00		0.15	8.00	1.18
1201	1	COLONIAL AVE	SUBURBAN GOLF CLUB	1	N	Y		0.38	0.00		0.38	8.00	3.03
1201	18.01	FAIRFIELD WAY	MENK, MARYANNE - TRUSTEE	1	N	Y		0.412229	0		0.41	8.00	3.30
1204	12.01	351 PRINCETON RD-REAR	SIMPSON, ROSE M	1	N	Y		0.214077	0		0.21	8.00	1.71
1605	43	1506 UNION COUNTY PKWY	PARK DRIVE, LLC	1	N	Y		0.158593	0		0.16	8.00	1.27
1605	44	UNION COUNTY PKWY	MONTALBINE, DIANE-MONTALBINE, LUCY	1	N	Y		0.151062	0		0.15	8.00	1.21
1605	45	BROOKSIDE DR	PARK DRIVE, LLC	1	N	Y		0.224421	0		0.22	8.00	1.80
1704	110	REEVES TERR	TOWNSHIP OF UNION	1	N	Y		0.475136	0.475135741	STEEP SLOPE; WETLAND AND/OR FHA (NO C-1 IN AREA)	0.00	8.00	0.00
2502	29.01	297 COLONIAL AVE	LEO, ROBERT - LEO, DOROTHY ET ALS	1	N	Y		0.166055	0		0.17	8.00	1.33
2502	29.02	295 COLONIAL AVE	LEO, ROBERT - LEO, DOROTHY ET ALS	1	N	Y		0.149341	0		0.15	8.00	1.19
2908	4	GRANDVIEW AVE	TOWNSHIP OF UNION	1	N	Y		0.558474	0		0.56	8.00	4.47
301	27	413 BASKERVILLE AVE	BASKERSVILLE AVE ASSOC, LLC	1	N	Y		0.134553	0		0.13	8.00	1.08
301	29.01	404 SHEARER AVE	MAS CONSTRUCTION, LLC	1	N	Y		0.180455	0		0.18	8.00	1.44
301	29.02	408 SHEARER AVE	MAS CONSTRUCTION, LLC	1	N	Y		0.137038	0		0.14	8.00	1.10
307	3	WOODLAND AVE	TOWNSHIP OF UNION	1	N	Y		0.144546	0.01261884	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.13	8.00	1.06
3806	26	SPRUCE ST	BASHFORD, DAVID S	1	N	Y		0.187142	0		0.19	8.00	1.50
3809	10	OGDEN RD	MOMS, L L C	1	N	Y		0.152399	0		0.15	8.00	1.22
405	17	SCHAEFFER LA	SHERWOOD GROUP ASSOCIATES, LLC	1	N	Y		0.250409	0		0.25	8.00	2.00
											Subtotal This Page		34.41
											Subtotal Page 2		37.80
											Subtotal Page 3		57.86
											Subtotal Page 4		0.00
											Subtotal Add'l Pages		0.00
											<b>Grand Total</b>		<b>130.07</b>

[Click Here to Return to Workbook C Summary](#)

[Click Here to Proceed to Non-residential Parcel Inventory and Capacity Analysis](#)

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\* Note: Hyperlink to GIS files requires GIS software. Files must be downloaded first and then opened in a GIS Viewer.

**Union Township (Union Co.) Growth Projection Adjustment - Non-Residential Parcel Inventory**

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density *	Total Acreage	Constrained Acreage	Constraint Description	Remaining Buildable Acreage	Density (Jobs/Ac)	Capacity (Jobs)
101	4.0201	1011 MORRIS AVE-REAR	SCHERING-PLOUGH R/E-TAX DEPT D-195	1	N	Y		8.53	2.51	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	6.03	80.00	482.27
105	14	1070 MORRIS AVE	TKV UNION STATION URBAN RENEWAL	1	N	Y		3.55	0.00		3.55	80.00	283.98
2505	5	CHESTNUT ST	BREEN, CHARLES ALLAN	1	N	Y		0.17	0.00		0.17	80.00	13.87
2917	3	978 ROSEMONT AVE	FOTINOS ENTERPRISES % A TSOUKALIS	1	N	Y		0.14	0.00		0.14	80.00	11.24
3205	1	ROUTE 22,CENTER	TOWNSHIP OF UNION	1	N	Y		0.01	0.00		0.01	80.00	1.15
3405	3	ROUTE 22,CENTER	OUTDOOR SYSTEMS, INC	1	N	Y		0.03	0.00		0.03	80.00	2.15
3405	6	ROUTE 22,CENTER	OUTDOOR SYSTEMS, INC	1	N	Y		0.05	0.00		0.05	80.00	4.12
3405	7	ROUTE 22,CENTER	TOWNSHIP OF UNION	1	N	Y		0.11	0.00		0.11	80.00	8.63
3913	30	RAHWAY AVE	TOWNSHIP OF UNION	1	N	Y		0.02	0.00		0.02	80.00	1.78
4003	10	2145 ROUTE 22,WEST	R & D REALTIES, LLC	1	N	Y		0.51	0.00		0.51	80.00	41.13
405	16	PATRICIA CT	TOWNSHIP OF UNION	1	N	Y		0.01	0.00		0.01	80.00	1.01
4115	1	ELMWOOD & MORRIS	TOWNSHIP OF UNION	1	N	Y		0.01	0.01	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	80.00	0.00
4305	30.01	2237 MORRIS AVE	2237-2243 MORRIS AVE ASSOC, LLC	1	N	Y		0.16	0.00		0.16	80.00	12.65
4305	31.01	2241 MORRIS AVE	2237-2243 MORRIS AVE ASSOC, LLC	1	N	Y		0.16	0.00		0.16	80.00	12.72
4305	33.01	MORRIS AVE	TOWNSHIP OF UNION	1	N	Y		0.04	0.04	NOT BUILDABLE PER TOWNSHIP ENGINEER (ROAD WIDENING)	0.00	80.00	0.00
4305	34	2243 MORRIS AVE	2237-2243 MORRIS AVE ASSOC, LLC	1	N	Y		0.11	0.00		0.11	80.00	8.69
4305	45	1057 COMMERCE AVE	COMMERCE AVENUE REALTY GROUP, LLC	1	N	Y		0.72	0.00		0.72	80.00	57.49
4501	1	MORRIS AVE	PAOLELLA, PAUL ANTHONY & JUDITH ANN	1	N	Y		0.19	0.00		0.19	80.00	14.98
4501	3	MORRIS AVE	PAOLELLA, PAUL ANTHONY & JUDITH ANN	1	N	Y		0.18	0.00		0.18	80.00	14.45
4815	23.01	2124 SPRINGFIELD AVE	2124 SPRINGFIELD AVE ASSOCIATES	1	N	Y		0.25	0.00		0.25	80.00	19.90
4816	1.01	SPRINGFIELD AVE	M C UNION, LLC%R D MANAGEMENT CORP	1	N	Y		0.19	0.00		0.19	80.00	15.54
4914	32	SPRINGFIELD AVE	PERRE, LEONARD% CREST MGMNT	1	N	Y		0.07	0.00		0.07	80.00	5.89

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Subtotal This Page	1,013.64
Subtotal Page 2	85.38
Subtotal Page 3	0.00
Subtotal Page 4	0.00
<b>Grand Total</b>	<b>1099.015</b>

\* Note: Hyperlink to GIS files requires GIS software. Files must be downloaded first and then opened in a GIS Viewer.

## Worksheet A: Growth Share Determination Using Published Data

(Appendix F(2), *Allocating Growth To Municipalities*)

### COAH Growth Projections

Must be used in all submissions

**Municipality Name: Union Township (Union Co.)**

Enter the COAH generated growth projections form Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page or the links within the page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated based on COAH's growth projections.

	Residential	Non-Residential
1 <b>Enter Growth Projections From Appendix F(2)*</b>	1,522	8,365
2 <b>Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab</b>	<a href="#">Click Here to enter Prior Round Exclusions</a>	
COs for prior round affordable units built or projected to be built post 1/1/04		
Inclusionary Development	0	
Supportive/Special Needs Housing	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
3 <b>Subtract the following Non-Residential Exclusions (5:97-2.4(b))</b>		
Affordable units	0	
Associated Jobs		0
4 <b>Net Growth Projection</b>	1,522	8,365
5 <b>Projected Growth Share</b> (Conversion to Affordable Units Divide HH by 5 and Jobs by 16)	304.40 Affordable Units	522.81 Affordable Units
6 <b>Total Projected Growth Share Obligation</b>		827 Affordable Units

[Click Here to return to Workbook C Summary](#)

\* For Residential Growth, See Appendix F(2), Figure A.1, Housing Units by Municipality. For Non-residential Growth, See Appendix F(2), Figure A.2, Employment by Municipality

## Affordable and Market-Rate Units Excluded from Growth

**Municipality Name: Union Township (Union Co.)**

**Prior Round Affordable Units NOT included in Inclusionary Developments Built Post 1/1/04**

Development Type	Number of COs Issued and/or Projected
Supportive/Special Needs Housing	
Accessory Apartments	
Municipally Sponsored and 100% Affordable	
Assisted Living	
Other	
<b>Total</b>	<b>0</b>

### Market and Affordable Units in Prior Round Inclusionary Development Built post 1/1/04

**N.J.A.C. 5:97-2.4(a)**

(Enter Y for yes in Rental column if rental units resulted from N.J.A.C. 5:93-5.15(c)5 incentives)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
		0			0
		0			0
		0			0
		0			0
		0			0
<b>Total</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Jobs and Affordable Units Built as a result of post 1/1/04 Non-Residential Development

**N.J.A.C. 5:97-2.4(b)**

Development Name	Affordable Units Provided	Permitted Jobs Exclusion
		0
		0
		0
		0
<b>Total</b>	<b>0</b>	<b>0</b>

[When finished, click here to return to Worksheet A](#)



Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 2

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	<a href="#">HUC 11 NO3 Density*</a>	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
405	18	MAGIE & SCHAEFFERS LA	SHERWOOD GROUP ASSOCIATES, LLC	1	N	Y		0.30	0.00		0.30	8.00	2.42
405	19	486 MAGIE AVE	SEGAL, CAROL	1	N	Y		0.518583	0		0.52	8.00	4.15
4109	2	907 CALDWELL AVE	GIAIMO, CHARLES V	1	N	Y		0.180468	0		0.18	8.00	1.44
4413	11.01	2511 LINN AVE	CARVALHO, MANUELA	1	N	Y		0.153492	0		0.15	8.00	1.23
4706	8	SPRINGFIELD AVE	UNION #3, L L C	1	N	Y		0.323177	0		0.32	8.00	2.59
4801	20.01	811 VALLEY ST	REICHARDT, GERARD & RITAMAE	1	N	Y		0.464883	0.215619096	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.25	8.00	1.99
4801	20.02	809 VALLEY ST	GLADSON, JAMES P	1	N	Y		0.471978	0.194579471	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.28	8.00	2.22
4803	1	SPRINGFIELD AVE	TOWNSHIP OF UNION	1	N	Y		0.234086	0		0.23	8.00	1.87
4811	41	MAPLE AVE	TOWNSHIP OF UNION	1	N	Y		0.148083	0		0.15	8.00	1.18
5107	15	BALMORAL AVE-REAR	TOWNSHIP OF UNION	1	N	Y		0.289312	0		0.29	8.00	2.31
5403	37	WILLIAM ST	AUTORINO, RALPH J JR	1	N	Y		0.290867	0		0.29	8.00	2.33
5602	1	COPPER HILL DR	GALLINI, S- GALLINI, E ET AL	1	N	Y		0.197961	0		0.20	8.00	1.58
5704	12	VAUXHALL RD-REAR	HORTON, H & M & HORTON, L & S	1	N	Y		0.184233	0		0.18	8.00	1.47
5706	15	OSWALD PL	TOWNSHIP OF UNION	1	N	Y		0.149151	0		0.15	8.00	1.19
5709	2	CARNEGIE PL & BURKLEY	TOWNSHIP OF UNION	1	N	Y		0.180614	0		0.18	8.00	1.44
5710	1	AUGUSTINE PL	TOWNSHIP OF UNION	1	N	Y		0.131675	0		0.13	8.00	1.05
5806	41	CONCORD AVE - END	TOWNSHIP OF UNION	1	N	Y		0.26382	0		0.26	8.00	2.11
5817	14	221 CATHERINE ST	TISDALE, ALFRED ALMA	1	N	Y		0.191726	0		0.19	8.00	1.53
5817	17.17	BURKLEY PL	TOWNSHIP OF UNION	1	N	Y		0.21283	0		0.21	8.00	1.70
5819	14.05	HUNT AVE	TOWNSHIP OF UNION	1	N	Y		0.245857	0		0.25	8.00	1.97
											<b>Total Page 2</b>		37.80

[Add More Sheets](#)

[Residential Inventory Main Page](#)

\* Note: Hyperlink to GIS files requires GIS software. Files must be downloaded first and then opened in a GIS Viewer.

## Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 3

<b>Block</b>	<b>Lot</b>	<b>Address</b>	<b>Owner</b>	<b>SDRP Planning Area</b>	<b>Urban Center (Y/N)</b>	<b>Sewer Service Area (Y/N)</b>	HUC 11 <a href="#">NO3</a> <a href="#">Density*</a>	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
601	45.01	COLONIAL ARMS RD-REAR	TOWNSHIP OF UNION	1	N	Y		0.379822	0		0.38	8.00	3.04
707	54	JENSEN LA	DE FLURI, ANGELA M	1	N	Y		0.778147	0		0.78	8.00	6.23
707	55.01	460 LEHIGH AVE	LOMBARDI,PASQUALE - PAOLELLA,PAUL A	1	N	Y		0.141214	0		0.14	8.00	1.13
803	16	SUMNER AVE	TOWNSHIP OF UNION	1	N	Y		5.282599	0		5.28	8.00	42.26
4703	28	15 WEST LINE AVE	GCG BUILDING ASSOCIATES, LLC	1	N	Y		0.238446	0		0.24	8.00	1.91
3617	37	SPRUCE ST-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.441565	0.0296026	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.41	8.00	3.30
<b>Total Page 3</b>													57.86

<b>Total Page 3</b>	<b>57.86</b>
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[Residential Inventory Main Page](#)

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## Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 4

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## Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 5

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## Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 6

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## Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 7

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## Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 8

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## Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 9

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## Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 10

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[Residential Inventory Main Page](#)

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## Union Township (Union Co.) Growth Projection Adjustment - Non-Residential Parcel Inventory - Page 2

[illegible]

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[Non-Residential Main Page](#)

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## Union Township (Union Co.) Growth Projection Adjustment - Non-Residential Parcel Inventory - Page 3

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[Non-Residential Main Page](#)

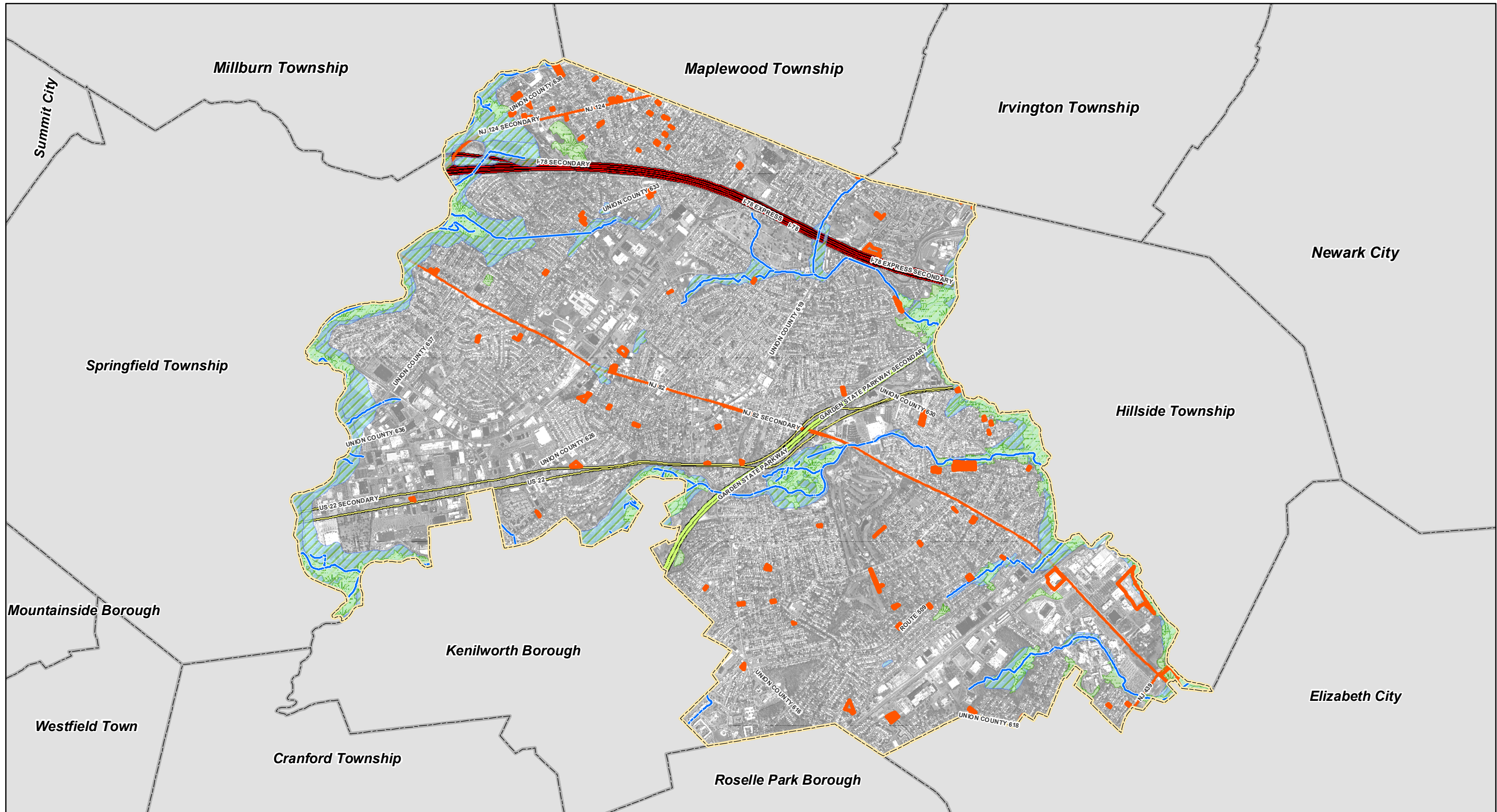
\* Note: Hyperlink to GIS files requires GIS software. Files must be downloaded first and then opened in a GIS Viewer.

## Union Township (Union Co.) Growth Projection Adjustment - Non-Residential Parcel Inventory - Page 4

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[Non-Residential Main Page](#)

\* Note: Hyperlink to GIS files requires GIS software. Files must be downloaded first and then opened in a GIS Viewer.



**T&M** 11 Tindall Road  
 Middletown, NJ 07748-2792  
 Phone: 732-671-6400  
 ASSOCIATES Fax: 732-671-7365  
 0 1,250 2,500 5,000  
 Feet

Prepared by: STK, May 12, 2009  
 Source: NJDEP - Municipal Boundary, Wetlands; NJDOT - 2008 Roads;  
 Union County GIS - Union Township Parcel Base; FEMA - 2008 Floodplain  
 File Path: H:\UTWP\00690\GIS\Projects\UTWP690\_PrivateVacantLand\_AFTER\_ENG\_REVIEW.mxd

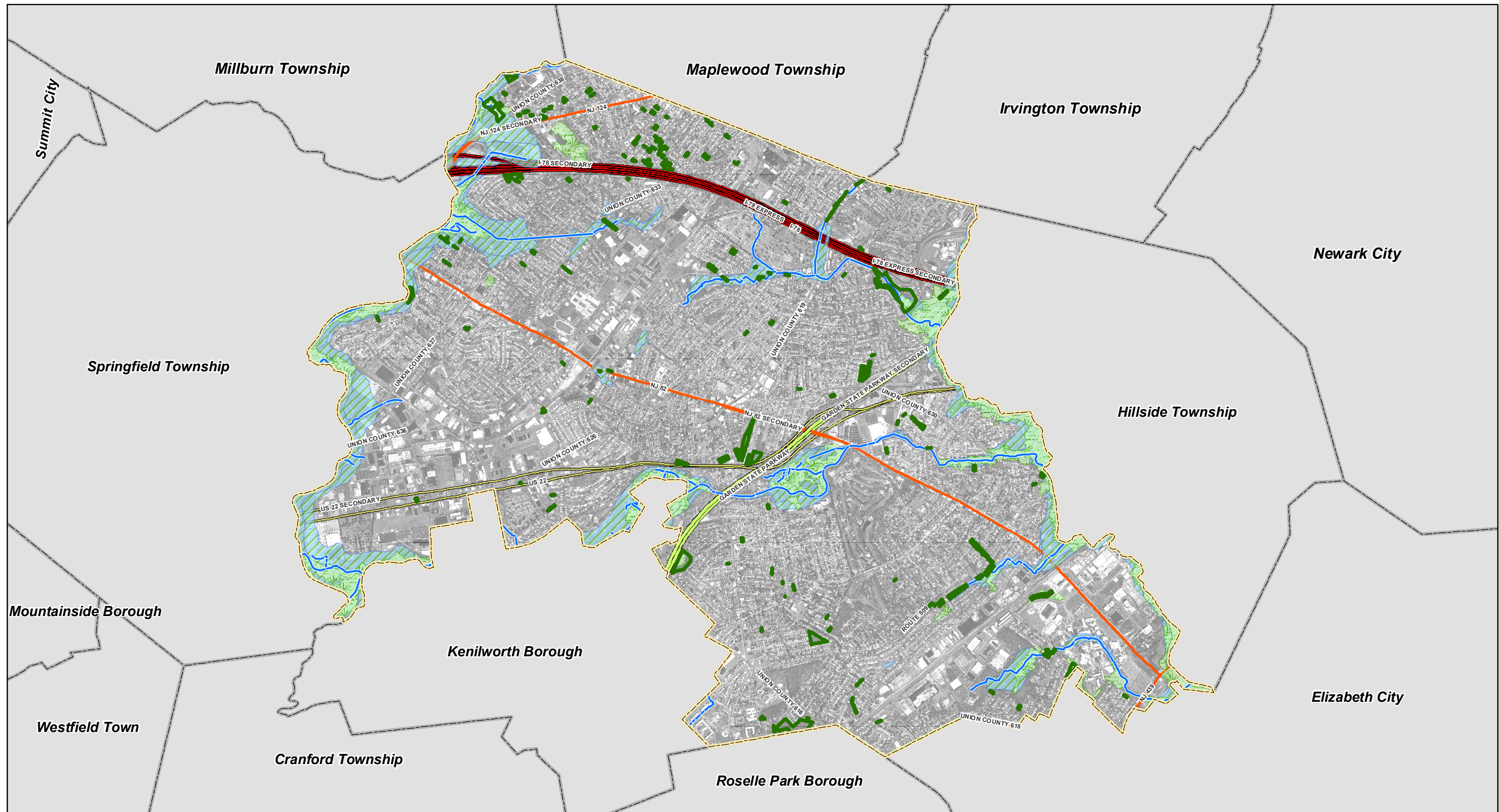
- |                     |                    |
|---------------------|--------------------|
| Private Vacant Land | Interstate Route   |
| Stream Corridor     | U.S. Route         |
| Floodplain          | State Route        |
| Wetland             | Toll Route         |
|                     | Union Township     |
|                     | Municipal Boundary |

## Private Vacant Land Union Township Union County, New Jersey



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.





**T&M** 11 Tindall Road  
Middletown, NJ 07748-2792  
Phone: 732-671-6400  
FAX: 732-671-7365  
ASSOCIATES  
0 1,250 2,500 5,000 Feet

Prepared by: STK, May 12, 2009  
Source: NJDEP - Municipal Boundary, Wetlands; NJDOT - 2008 Roads;  
Union County GIS - Union Township Parcel Base; FEMA - 2008 Floodplain  
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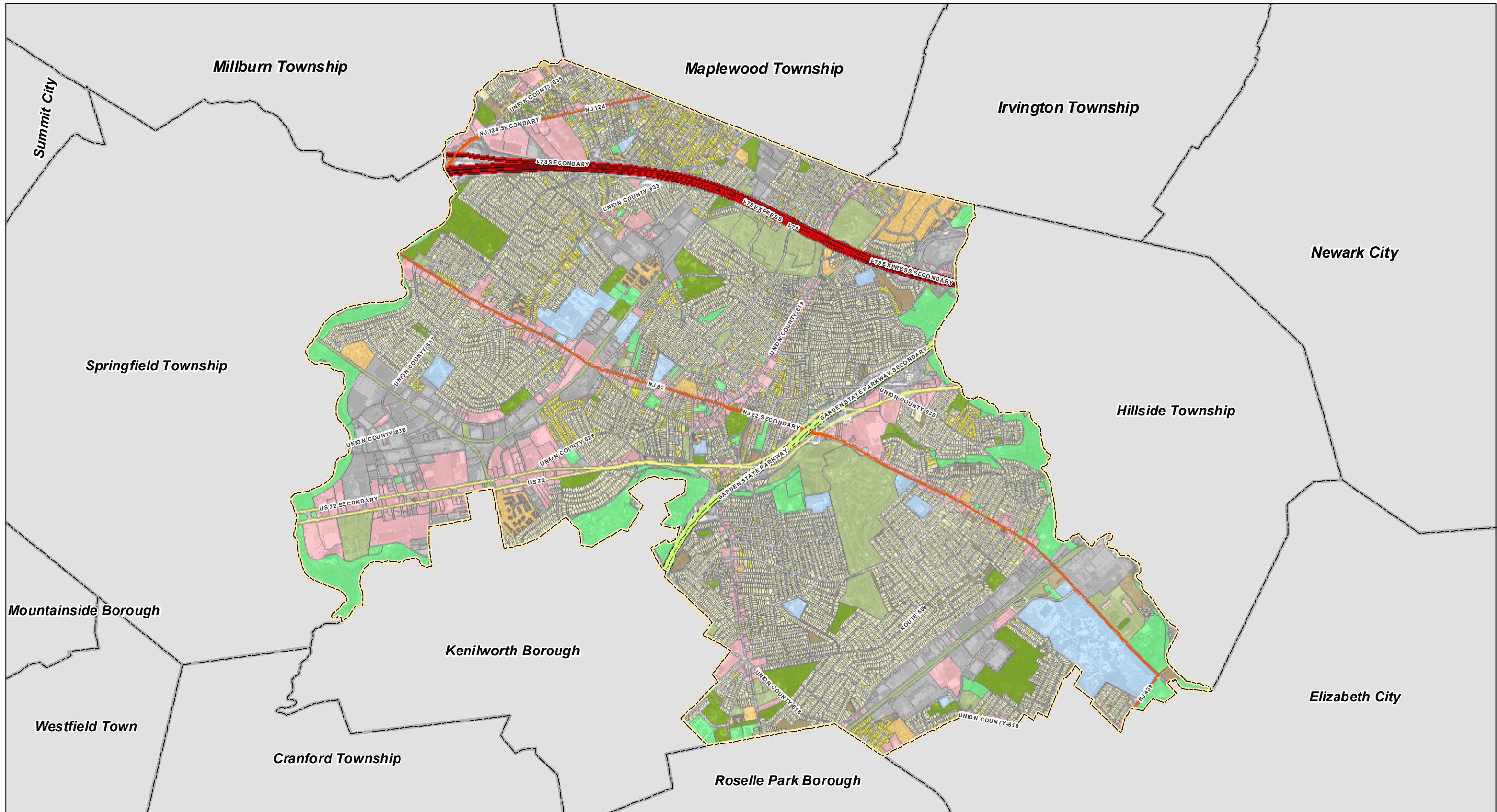
- |                       |                    |
|-----------------------|--------------------|
| Municipal Vacant Land | Interstate Route   |
| Stream Corridor       | U.S. Route         |
| Floodplain            | State Route        |
| Wetland               | Toll Route         |
|                       | Union Township     |
|                       | Municipal Boundary |

## Municipal Vacant Land Union Township Union County, New Jersey



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.





**T&M** 11 Tindall Road  
 Middletown, NJ 07748-2792  
 Phone: 732-671-6400  
 ASSOCIATES Fax: 732-671-7365  
 0 1,250 2,500 5,000  
 Feet

- |                           |                               |                    |
|---------------------------|-------------------------------|--------------------|
| Single Family Residential | Parkland/Dedicated Open Space | Interstate Route   |
| Residential (2-4 Family)  | Public                        | U.S. Route         |
| Multifamily               | Semi-Public                   | State Route        |
| Commercial                | School                        | Toll Route         |
| Industrial                | Vacant Land                   | Union Township     |
|                           |                               | Municipal Boundary |

## Current Land Use Union Township Union County, New Jersey

Prepared by: STK, May 12, 2009  
 Source: NJDEP - Municipal Boundary; NJDOT - 2008 Roads;  
 Union County GIS - Union Township Parcel Base  
 File Path: H:\UTWP\00690\GIS\Projects\UTWP690\_LandUse\_AFTER\_ENG\_REVIEW.mxd



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

**APPENDIX B:**  
**COMPLETE INVENTORY OF VACANT PARCELS**



The following pages contain the complete inventory of privately- and municipally-owned vacant parcels in the Township. Please note that some of these parcels are not included in COAH Workbook C (Appendix A) due to the space limitations and file editing restrictions made by COAH. However, all parcels that were not included in COAH Workbook C (Appendix A) are too small to generate growth in accordance with COAH standards.

Please also note that the mapping contained in Appendix A reflects all parcels, regardless of size. Thus, all parcels contained on these inventory sheets is reflected in the mapping in Appendix A.

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Acre)	Capacity
102	2	MORRIS & NORTH AVE	LIBERTY HALL FOUNDATION%J ONEILL	1	N	Y	N/A	3.56	3.56	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
201	2	857 BISHOP ST	RINALDI, ROSETTA	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
202	2	TRAVERS ST	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
203	17	TRAVERS ST	TUOHY, FRANCIS G & BARBARA A	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
208	34	PALISADE RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.96	0.95	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.01	8	0.00
301	27	413 BASKERVILLE AVE	BASKERVILLE AVE ASSOC, LLC	1	N	Y	N/A	0.13	0.00		0.13	8	1.08
301	29.01	404 SHEARER AVE	MAS CONSTRUCTION, LLC	1	N	Y	N/A	0.18	0.00		0.18	8	1.44
301	29.02	408 SHEARER AVE	MAS CONSTRUCTION, LLC	1	N	Y	N/A	0.14	0.00		0.14	8	1.10
301	42	SHEARER AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
306	16	CABOT AVE	OKPYCH, REBECCA E	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
306	17	CABOT AVE	CRESENCIA, BENJAMIN P & AZUCENA A	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
306	24	CABOT AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.10	0.00		0.10	8	0.00
307	3	WOODLAND AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.14	0.01	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.13	8	1.06
307	4	WOODLAND & CONANT	TOWNSHIP OF UNION	1	N	Y	N/A	0.32	0.32	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA); NOT BUILDABLE PER TOWNSHIP ENGINEER (CULVERT)	0.00	8	0.00
308	7	WOODLAND AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.11	0.09	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.02	8	0.00
405	17	SCHAEFFER LA	SHERWOOD GROUP ASSOCIATES, LLC	1	N	Y	N/A	0.25	0.00		0.25	8	2.00
405	18	MAGIE & SCHAEFFERS LA	SHERWOOD GROUP ASSOCIATES, LLC	1	N	Y	N/A	0.30	0.00		0.30	8	2.42
405	19	486 MAGIE AVE	SEGAL, CAROL	1	N	Y	N/A	0.52	0.00		0.52	8	4.15
502	6	ARNET AVE	CLARKE, WALTER M & JANICE	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
506	1	SALEM RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
506	15	HUGUENOT AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.19	0.19	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
506	20	COLONIAL ARMS RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.68	0.68	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
506	21	BEVERLY & SALEM	TOWNSHIP OF UNION	1	N	Y	N/A	0.06	0.06	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
507	11	829 SALEM RD	TR TOWNLEY PRES CHURCH	1	N	Y	N/A	0.30	0.28	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.03	8	0.00
507	12	SALEM RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	1.08	1.08	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA); NOT BUILDABLE PER TOWNSHIP ENGINEER (RIPARIAN BUFFER)	0.00	8	0.00
601	6	SALEM RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
601	45.01	COLONIAL ARMS RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.38	0.00		0.38	8	3.04
707	46	LEHIGH & JENSEN LA	TOWNSHIP OF UNION	1	N	Y	N/A	0.21	0.21	NOT BUILDABLE PER TOWNSHIP ENGINEER (EASEMENT)	0.00	8	0.00
707	54	JENSEN LA	DE FLURI, ANGELA M	1	N	Y	N/A	0.78	0.00		0.78	8	6.23
707	55.01	460 LEHIGH AVE	LOMBARDI, PASQUALE - PAOLELLA, PAULA	1	N	Y	N/A	0.14	0.00		0.14	8	1.13
712	8	RR-JENSEN LANE	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
712	9	JENSEN LA	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
802	11	CHESTNUT ST	TOWNSHIP OF UNION	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
803	16	SUMNER AVE	TOWNSHIP OF UNION	1	N	Y	N/A	5.28	0.00		5.28	8	42.26
803	60	REAR FOREST & RUTGERS	TOWNSHIP OF UNION	1	N	Y	N/A	0.15	0.15	NOT BUILDABLE PER TOWNSHIP ENGINEER (LAND LOCKED)	0.00	8	0.00
1002	11	WILLOW DR	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
1003	14	DOGWOOD DR	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
1004	25	LIVINGSTON AVE	TOWNSHIP OF UNION	1	N	Y	N/A	1.88	1.88	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE AND WETLAND CONSTRAINTS)	0.00	8	0.00
1009	49	ST JOHNS PL	MULLEN, MICHAEL J & CAROL J	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
1012	15	MONTICELLO ST	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
1103	2	628 SALEM RD	LEDDY, THOMAS P & BERNICE M	1	N	Y	N/A	0.14	0.00		0.14	8	1.11
1103	3	624 SALEM RD	OZOL, IDA H	1	N	Y	N/A	0.15	0.00		0.15	8	1.18
1201	1	COLONIAL AVE	SUBURBAN GOLF CLUB	1	N	Y	N/A	0.38	0.00		0.38	8	3.03
1201	16	FAIRFIELD WAY-REAR	MENK, MARYANNE - TRUSTEE	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
1201	18.01	FAIRFIELD WAY	MENK, MARYANNE - TRUSTEE	1	N	Y	N/A	0.41	0.00		0.41	8	3.30
1202	9	PRESCOTT RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
1204	12.01	351 PRINCETON RD-REAR	SIMPSON, ROSE M	1	N	Y	N/A	0.21	0.00		0.21	8	1.71
1206	14	SALEM RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.03	0.00		0.03	8	0.00
1206	15	WINCHESTER AVE	ANGELES DELOS FRANCIS E & ZENaida	1	N	Y	N/A	0.14	0.14	NOT BUILDABLE PER TOWNSHIP ENGINEER (CULVERT)	0.00	8	0.00
1211	32	COLONIAL AVE	LUM, KATHRYN TRUST	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
1218	15	CARTERET AVENUE	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
1218	16	TOWNLEY & CARTERET	TOWNSHIP OF UNION	1	N	Y	N/A	0.46	0.46	NOT BUILDABLE PER TOWNSHIP ENGINEER (ROAD WIDENING)	0.00	8	0.00
1219	12	BEVERLY RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.42	0.42	NOT BUILDABLE PER TOWNSHIP ENGINEER (ROAD WIDENING)	0.00	8	0.00
1303	7	LORRAINE AVE-REAR	GRANT, WILLIAM E & MARYELLEN E	1	N	Y	N/A	0.28	0.28	NOT BUILDABLE PER TOWNSHIP ENGINEER (LAND LOCKED)	0.00	8	0.00
1304	4	COLONIAL AVE	SIANA MICHAEL R	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
1401	12	BROOKFALL AVE	CLAUER, KENNETH R	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
1401	21	BROOKFALL AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.09	0.09	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1401	22	RIVERSIDE DR	TOWNSHIP OF UNION	1	N	Y	N/A	0.14	0.14	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1405	24	WILDWOOD TERR-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.03	0.00		0.03	8	0.00
1501	73	1210 BROOKSIDE AVE	BAKER, RAYMOND J C/O RAYMOND S BAKER	1	N	Y	N/A	0.12	0.01	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.11	8	0.00
1503	17	BROOKSIDE AVE	JONES, BETTY J ET ALS	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
1504	20	GRAY AVE	ALLEN, V LILLIA ESTATE	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
1605	18	SAYRE RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
1605	43	1506 UNION COUNTY PKWY	PARK DRIVE, LLC	1	N	Y	N/A	0.16	0.00		0.16	8	1.27
1605	44	UNION COUNTY PKWY	MONTALBINE, DIANE-MONTALBINE, LUCY	1	N	Y	N/A	0.15	0.00		0.15	8	1.21
1605	45	BROOKSIDE DR	PARK DRIVE, LLC	1	N	Y	N/A	0.22	0.00		0.22	8	1.80
1605	47	UNION COUNTY PKWY	SALAZAR, J ORLANDO & AMELIA	1	N	Y	N/A	0.06	0.06	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1605	48	UNION COUNTY PKWY	SALAZAR, ORLANDO & AMELIA	1	N	Y	N/A	0.05	0.05	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1605	49	UNION COUNTY PKWY	SALAZAR, J ORLANDO & AMELIA	1	N	Y	N/A	0.09	0.09	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1605	50	UNION COUNTY PKWY	GONZALEZ, MICHAEL & KAREN T KELLY	1	N	Y	N/A	0.03	0.03	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1605	51	UNION COUNTY PKWY	MARTONE DONATO & PAMELA	1	N	Y	N/A	0.02	0.02	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1605	52	UNION COUNTY PKWY	BORDAN, CYNTHIA A - SOKLIN, STEVEN	1	N	Y	N/A	0.02	0.02	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1605	53	UNION COUNTY PKWY	GILLIARD, BRYANT & VICTORIA	1	N	Y	N/A	0.02	0.02	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1605	54	UNION COUNTY PKWY	BLUMETTI, DENNIS & BARBARA	1	N	Y	N/A	0.02	0.02	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1605	56	UNION COUNTY PKWY	SMITH, BETSY A & DONALD R	1	N	Y	N/A	0.02	0.02	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
1606	2	AZALEA RD	SALAZAR, J ORLANDO & AMELIA	1	N	Y	N/A	0.13	0.05	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.08	8	0.00
1606	3	UNION COUNTY PKWY	SALAZAR, J ORLANDO & AMELIA	1	N	Y	N/A	0.15	0.15	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA); NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
1606	4	UNION COUNTY PKWY	SALAZAR, J ORLANDO & AMELIA	1	N	Y	N/A	0.14	0.05	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.04	8	0.00
1606	5	UNION COUNTY PKWY	SALAZAR, J ORLANDO & AMELIA	1	N	Y	N/A	0.14	0.13	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.02	8	0.00
1606	7	UNION COUNTY PKWY	MARTONE, DONATO F & PAMELA E	1	N	Y	N/A	0.15	0.15	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA); NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
1606	8	UNION COUNTY PKWY	BORDAN, CYNTHIA A - SOKLIN, STEVEN	1	N	Y	N/A	0.14	0.14	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA); NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
1606	10	UNION COUNTY PKWY	BLUMETTI, DENNIS & BARBARA	1	N	Y	N/A	0.15	0.15	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA); NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
1606	11	UNION COUNTY PKWY	TOWNSHIP OF UNION	1	N	Y	N/A	0.14	0.12	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.12	8	0.00
1606	12	UNION COUNTY PKWY	SMITH DONALD R & BETSY A	1	N	Y	N/A	0.15	0.02	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.12	8	0.00
1606	31	UNION COUNTY PKWY	SALAZAR, J ORLANDO & AMELIA	1	N	Y	N/A	0.15	0.10	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.05	8	0.00
1701	4	DAWES AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
1701	9	VAUXHALL RD	FRANCIS, PETER	1	N	Y	N/A	0.23	0.23	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
1704	12	MORRIS AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
1704	13	KINGSWOOD RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
1704	83	SAYRE RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
1704	83	REEVES TERR	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
1704	109	VAUXHALL RD	PISCITELLI, ALFRED & MILDRED	1	N	Y	N/A	0.71	0.71	STEEP SLOPE: WETLAND AND/OR FHA (NO C-1 IN AREA)	0.00	8	0.00
1704	110	REEVES TERR	TOWNSHIP OF UNION	1	N	Y	N/A	0.48	0.48	STEEP SLOPE: WETLAND AND/OR FHA (NO C-1 IN AREA)	0.00	8	0.00
1704	114	VAUXHALL RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
1803	1	ELMER AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.62	0.62	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Acre)	Capacity
1804	13	ELMER AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.85	0.85	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
1808	24	1500 ROUTE 22 EAST	CASTERNOVIA, SAMUEL E	1	N	Y	N/A	0.24	0.24	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA); NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE AND WETLAND CONSTRAINTS)	0.00	8	0.00
1901	6	BALDWIN PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.19	0.19	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
2004	5	BEECH SPRING RD-REAR	TARABAR, MORRIS LEO & FRED A	1	N	Y	N/A	0.03	0.03		0.03	8	0.00
2004	6	BEECH SPRING RD-REAR	CIVIL, ANDRIS C & FAUVETTE C	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
2004	8	REAR MILL RD & PKWY	UNKNOWN OWNER	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
2104	1	WALKER AVE	FDV REALTY, LLC	1	N	Y	N/A	1.34	1.34	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
2107	2	ROSE TERR	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
2110	14	GREGORY AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
2110	31	UNION AVE	DOTA, LEONARDO	1	N	Y	N/A	0.61	0.59	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.01	8	0.00
2110	32	GREGORY AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.32	0.32	NOT BUILDABLE PER TOWNSHIP ENGINEER (FLOOD ZONE)	0.00	8	0.00
2110	33		TOWNSHIP OF UNION	1	N	Y	N/A	8.66	8.66	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA); NOT BUILDABLE PER TOWNSHIP ENGINEER (FLOOD ZONE)	0.00	8	0.00
2215	13	EARL ST	TOWNSHIP OF UNION	1	N	Y	N/A	0.10	0.00		0.10	8	0.00
2215	20	DARTMOUTH & COLUMBIA	TOWNSHIP OF UNION	1	N	Y	N/A	0.03	0.00		0.03	8	0.00
2307	23	COOLIDGE AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
2402	19	ROBINSON TERR	LANDECK, KURT C & JOANNE M	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
2407	48	GREENWOOD RD	RUBINO, FRANK & ANNA % J RUBINO	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
2407	49	CLARK & GREENWOOD	RUBINO, FRANK & ANNA % J RUBINO	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
2407	50	CARPENTER PL	RUBINO, FRANK & ANNA % J RUBINO	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
2502	26	WOODMONT RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.03	0.00		0.03	8	0.00
2502	29.01	297 COLONIAL AVE	LEO, ROBERT - LEO, DOROTHY ET ALS	1	N	Y	N/A	0.17	0.00		0.17	8	1.33
2502	29.02	295 COLONIAL AVE	LEO, ROBERT - LEO, DOROTHY ET ALS	1	N	Y	N/A	0.15	0.00		0.15	8	1.19
2504	23	276 WASHINGTON AVE	CENTRAL JERSEY DEVELOPMENT GROUP	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
2507	17	WHITEWOOD RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
2507	27	RR-THOREAU TERR-WASH.&COL	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
2510	20	BROOKDALE RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
2804	38	492 BAILEY AVE	ULLRICH, LORE	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
2611	17	RR-CHESTNUT & COLONIAL RW	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
2619	1	PARKVIEW DR	TOWNSHIP OF UNION	1	N	Y	N/A	3.33	3.33	STEEP SLOPE; WETLAND AND/OR FHA (NO C-1 IN AREA); NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
2707	9	CRAWFORD TERR	TOWNSHIP OF UNION	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
2713	26	WINFIELD TERR	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.01	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.07	8	0.00
2905	1	MORRIS AVE	TOWNSHIP OF UNION	1	N	Y	N/A	2.03	2.03	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
2905	23.02	902 GRANDVIEW AVE	QUALITY BUILT CONSTRUCTION, LLC	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
2905	24	BURKE PKWY	MACK BORING & PARTS CO	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
2908	4	GRANDVIEW AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.56	0.00		0.56	8	4.47
2908	5	MIELE AVE	TOWNSHIP OF UNION	1	N	Y	N/A	1.29	1.29	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
2912	7	LEGION DR	TOWNSHIP OF UNION	1	N	Y	N/A	0.35	0.35	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
2913	4	WADE TERRACE	TOWNSHIP OF UNION	1	N	Y	N/A	0.56	0.56	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
2914	8	ROUTE 22	ALFANO, MICHAEL J & JEAN M	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
3001	12	W CHESTNUT ST	TOWNSHIP OF UNION	1	N	Y	N/A	0.48	0.48	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
3101	13	MALCOLM RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.03	0.00		0.03	8	0.00
3101	14	MALCOLM RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
3101	15	MALCOLM RD-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
3101	31	ROUTE 22 EAST-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
3202	40	BALL AVE	UNKNOWN OWNER	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
3617	9	PINEWOOD RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.09	0.03	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.05	8	0.00
3617	37	SPRUCE ST-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.44	0.03	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.41	8	3.30
3801	53	WENDY CT	TOWNSHIP OF UNION	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
3806	26	SPRUCE ST	BASHFORD, DAVID S	1	N	Y	N/A	0.19	0.00		0.19	8	1.50
3809	10	OGDEN RD	MOMS, L L C	1	N	Y	N/A	0.15	0.00		0.15	8	1.22
3809	11	OGDEN RD	MOMS, L L C	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
4001	7	HOBSON ST-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.11	0.00		0.11	8	0.00
4013	23.01	SAVITT PL	INTERNATIONAL PAINT CO, INC	1	N	Y	N/A	0.68	0.59	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.09	8	0.00
4102	18	MILLTON AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.02	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
4104	6	202 HOOVER PL	HOOD, WILLIAM	1	N	Y	N/A	2.12	0.00		0.12	8	0.00
4109	2	907 CALDWELL AVE	GAIMO, CHARLES V	1	N	Y	N/A	0.18	0.00		0.18	8	1.44
4407	58	SCHNEIDER AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
4407	66	SCHNEIDER AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
4413	11.01	2511 LINN AVE	CARVALHO, MANUELA	1	N	Y	N/A	0.15	0.00		0.15	8	1.23
4506	6	MAYFAIR RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
4506	21	MAYFAIR RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
4507	17	CAROL & MT VERNON RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
4507	18	MOUNT VERNON RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
4508	16	MT VERNON RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
4508	26	CAROL RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.02	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
4606	1	DEBRA WAY-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	1.30	1.30	NOT BUILDABLE PER TOWNSHIP ENGINEER (STEEP SLOPE CONSTRAINTS)	0.00	8	0.00
4701	7	VALLEY ST	TOWNSHIP OF UNION	1	N	Y	N/A	1.76	1.75	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.02	8	0.00
4701	23	E BRANCH PL	TOWNSHIP OF UNION	1	N	Y	N/A	1.46	1.46	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
4701	38	FRANKLIN ST	TOWNSHIP OF UNION	1	N	Y	N/A	0.55	0.53	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.02	8	0.00
4702	8	MUIR PL & W LINE	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
4703	28	15 WEST LINE AVE	GGG BUILDING ASSOCIATES, LLC	1	N	Y	N/A	0.24	0.00		0.24	8	1.91
4703	28.01	15 WEST LINE AVE	GGG BUILDING ASSOCIATES, LLC	1	N	Y	N/A	0.11	0.00		0.11	8	0.90
4703	28.02	15 WEST LINE AVE	GGG BUILDING ASSOCIATES, LLC	1	N	Y	N/A	0.11	0.00		0.11	8	0.90
4705	3	SOPHIA AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
4705	5	SOPHIA AVE	RAUB, HENRY G, JR & JUNE E	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
4705	6	2360 SPRINGFIELD AVE	RAUB, HENRY G, JR	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
4705	15	914 VALLEY ST	GEO E CANNON LODGE BOARD OF TRUSTEES	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
4705	16	ABRACADIA PL	GEORGE E CANNON, INC.	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
4706	2	SOPHIA AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
4706	8	SPRINGFIELD AVE	UNION #3, L L C	1	N	Y	N/A	0.32	0.00		0.32	8	2.59
4706	11	BERTHA AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
4707	22	EMILY AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
4708	4	42 EMILY AVE	MAJOR, JOSEPH P, JR	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
4708	13	16 MARY AVE	CARTER, KURT	1	N	Y	N/A	0.10	0.00		0.10	8	0.00
4801	20.01	811 VALLEY ST	REICHARDT, GERARD & RITAMAE	1	N	Y	N/A	0.46	0.22	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.25	8	1.99
4801	20.02	809 VALLEY ST	GLADSON, JAMES P	1	N	Y	N/A	0.47	0.19	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.28	8	2.22
4803	1	SPRINGFIELD AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.23	0.00		0.23	8	1.87
4803	13	CHICAGO ST	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
4803	22	8 WINDSOR AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
4804	2.01	27 WINDSOR AVE	CARTER, KAH S, JR - APT. 9E"	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
4806	1	VALUXHALL RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.16	0.16	NOT BUILDABLE PER TOWNSHIP ENGINEER (WETLAND CONSTRAINTS AND SEWER)	0.00	8	0.00
4811	38	MAPLE AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
4811	41	MAPLE AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.15	0.00		0.15	8	1.18
4812	8	CRESTVIEW AVE	HOWE, MARNIQUE FOSTER & WAYNE	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
4816	11	BYRON TERR	KING, JAKE & MICHELLE	1	N	Y	N/A	0.06	0.00		0.06	8	0.00

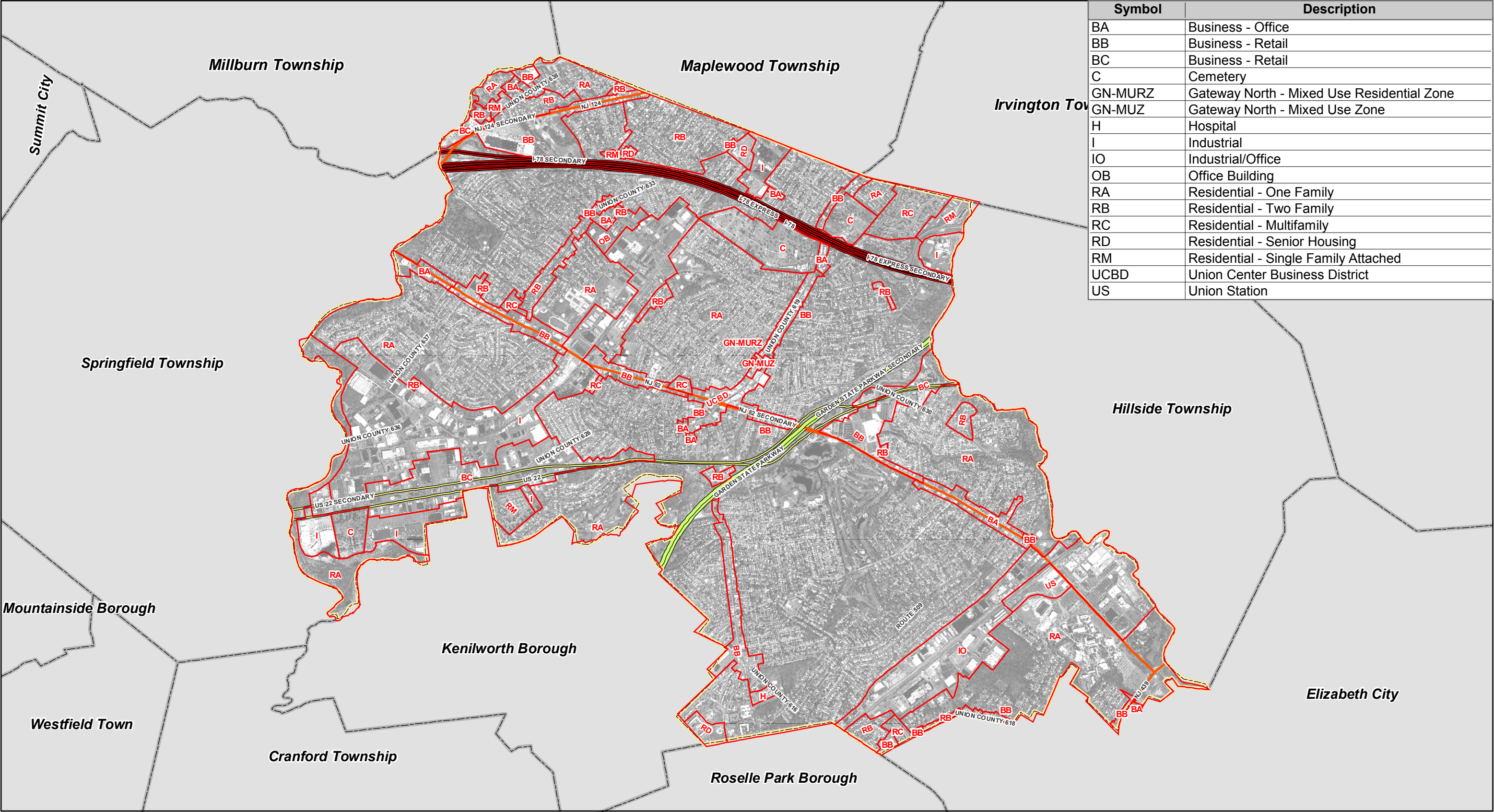
Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Acre)	Capacity
4906	18	REAR-BURNET & CHILTON	MILLER, JEFFREY	1	N	Y	N/A	0.03	0.00	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.03	8	0.00
4906	19	1333 GLENDALE PL	MILLER, JEFFREY	1	N	Y	N/A	0.43	0.00		0.43	8	3.43
4909	5.01	1404 LIBERTY AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
4914	17	MARION ST	THE FIRST BAPTIST CHURCH OF VAUXHALL	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
5004	16	BURNET AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.03	0.00		0.03	8	0.00
5011	19	VAUXHALL RD	RUA, ANTONIO M & VIEIRA, GINA PAULA	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
5106	45	WINSLOW & TYLER	TOWNSHIP OF UNION	1	N	Y	N/A	0.12	0.10		0.02	8	0.00
5107	15	BALMORAL AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.29	0.00		0.29	8	2.31
5107	20	BALMORAL AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.10	0.00		0.10	8	0.00
5110	14	MORRISON & WEBSTER	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
5110	16	MORRISON AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00	0.02	8	0.00	
5111	18	MORRISON AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.01	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
5111	33	MORRISON & WEBSTER	TOWNSHIP OF UNION	1	N	Y	N/A	0.03	0.00		0.03	8	0.00
5209	15	GLESS AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
5217	23	KAY AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
5217	25	KAY AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
5222	23	STECHER AVE	MEOLA, ANTHONY & MARY	1	N	Y	N/A	0.13	0.12	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.01	8	0.00
5226	6	MORRISON AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.00	0.00	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
5226	19	STECHER AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.10	0.10	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
5302	4	ANDREW ST	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
5309	17	ISABELLA AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.02	8	0.00
5310	22	MORRISON AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.05	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
5403	37	WILLIAM ST	AUTORINO, RALPH J JR	1	N	Y	N/A	0.29	0.00		0.29	8	2.33
5403	47	RR WALKER AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
5404	9	PLEASANT PKWY	TOWNSHIP OF UNION	1	N	Y	N/A	0.09	0.01	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.07	8	0.00
5407	2	EDISON TERR	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.04	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
5407	51	OSTWOOD TERR	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.08	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	8	0.00
5408	10	2019 OSTWOOD TERR	VICTORIAN CT CONDO ASSOC % D. MILLS	1	N	Y	N/A	0.12	0.05	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.07	8	0.00
5411	8	HOLLYWOOD AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
5502	33	KENNETH AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.03	0.00		0.03	8	0.00
5503	1.01	1769 KENNETH AVE	SARDEIRA, MARCO	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
5503	1.02	1765 KENNETH AVE	SARDEIRA, MARCO	1	N	Y	N/A	0.11	0.00		0.11	8	0.00
5509	1	MEL ROSE PKWY	FRIMAX, LLC	1	N	Y	N/A	0.10	0.00		0.10	8	0.00
5602	1	COPPER HILL DR	GALLINI, S- GALLINI, E ET AL	1	N	Y	N/A	0.20	0.00		0.20	8	1.58
5602	2	COPPER HILL DR	GALLINI, S- GALLINI, E ET AL	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
5602	3	COPPER HILL DR	GALLINI, S- GALLINI, E ET AL	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
5602	27	COR PERSHING	MARION HOMES, INC % JB O'HARA JR	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
5701	33	MONTCLAIR AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
5704	12	VAUXHALL RD-REAR	HORTON, H & M & HORTON, L & S	1	N	Y	N/A	0.18	0.00		0.18	8	1.47
5704	32	VAUXHALL RD	TOWNSHIP OF UNION	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
5706	8	OSWALD PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
5706	15	OSWALD PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.15	0.00		0.15	8	1.19
5706	19	BURKLEY PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
5708	2	WALDORF PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
5708	6	151 WALDORF PL	PILEWSKI, JAMES	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
5708	7.09	WALDORF PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
5709	2	CARNEGIE PL & BURKLEY	TOWNSHIP OF UNION	1	N	Y	N/A	0.18	0.00		0.18	8	1.44
5709	13	AUGUSTINE PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
5709	22	BURKLEY PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	8	0.00
5710	1	AUGUSTINE PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.13	0.00		0.13	8	1.05
5710	9	ORLEANS PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.10	0.00		0.10	8	0.00
5711	9	GALLINI DR-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
5802	7	CONCORD & LAUREL	TOWNSHIP OF UNION	1	N	Y	N/A	0.11	0.00		0.11	8	0.00
5804	1	REVERE AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
5805	1	REVERE AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.09	0.00		0.09	8	0.00
5806	41	CONCORD AVE - END	TOWNSHIP OF UNION	1	N	Y	N/A	0.26	0.00		0.26	8	2.11
5807	51	ASTORIA PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.13	0.13	NOT BUILDABLE PER TOWNSHIP ENGINEER (EASEMENT)	0.00	8	0.00
5809	16	285 OREGON ST	CALHOUN, BENJAMIN-THOMAS, ETHEL	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
5809	21.02	OREGON ST	WALKER, CRAIG JAMES	1	N	Y	N/A	0.10	0.00		0.10	8	0.00
5810	12	CARNEGIE PL	DAUGHTRY, EDITH	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
5811	15.03	OSWALD PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
5811	17	OSWALD PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
5811	40	CARNEGIE PL	GREENWOOD, PATRICIA ANN	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
5811	41	CARNEGIE PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
5813	32	254 HILTON AVE	REIS, ANTONIO	1	N	Y	N/A	0.11	0.00		0.11	8	0.00
5813	33.01	256 HILTON AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
5813	38	HILTON AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.12	0.00		0.12	8	0.00
5813	41	280 HILTON AVE	YMK ENTERPRISES, INC	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
5813	42	282 HILTON AVE	FIRST BAPTIST CHURCH OF VAUXHALL NJ	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
5816	1	CARNEGIE PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	8	0.00
5816	4	CATHERINE ST	TOWNSHIP OF UNION	1	N	Y	N/A	0.11	0.00		0.11	8	0.00
5817	1	ASTORIA PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
5817	3	ASTORIA PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.00		0.04	8	0.00
5817	4.01	ASTORIA PL - REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.00		0.08	8	0.00
5817	6.01	95 ASTORIA PL	SILVA LUIS & RODRIGUES, ELIZABETH	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
5817	14	221 CATHERINE ST	TISDALE, ALFRED ALMA	1	N	Y	N/A	0.19	0.00		0.19	8	1.53
5817	17.17	BURKLEY PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.21	0.00		0.21	8	1.70
5819	4	BURKLEY PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.05	0.00		0.05	8	0.00
5819	7	BURKLEY PL	TOWNSHIP OF UNION	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
5819	14.05	HUNT AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.25	0.00		0.25	8	1.97
5820	8	HUNT AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.06	0.00		0.06	8	0.00
5821	1	ATLANTA AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	8	0.00
5821	6	HUNT AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.08	0.00		0.08	8	0.00

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Jobs/Acre)	Capacity
105	14	1070 MORRIS AVE	TKV UNION STATION URBAN RENEWAL	1	N	Y	N/A	3.55	0.00		3.55	80	283.98
3205	1	ROUTE 22 CENTER	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	80	1.15
3405	3	ROUTE 22 CENTER	OUTDOOR SYSTEMS, INC	1	N	Y	N/A	0.03	0.00		0.03	80	2.15
3405	6	ROUTE 22 CENTER	OUTDOOR SYSTEMS, INC	1	N	Y	N/A	0.05	0.00		0.05	80	4.12
3913	30	RAHWAY AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.02	0.00		0.02	80	1.78
405	16	PATRICIA CT	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.00		0.01	80	1.01
4305	33.01	MORRIS AVE	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.04	NOT BUILDABLE PER TOWNSHIP ENGINEER (ROAD WIDENING)	0.00	80	0.00
4305	45	1057 COMMERCE AVE	COMMERCE AVENUE REALTY GROUP, LLC	1	N	Y	N/A	0.72	0.00		0.72	80	57.49
5404	2	STANLEY & PLEASANT	TOWNSHIP OF UNION	1	N	Y	N/A	0.19	0.00		0.19	80	14.86
5406	11	PLEASANT & EDISON	TOWNSHIP OF UNION	1	N	Y	N/A	0.07	0.00		0.07	80	5.60
101	4.0201	1011 MORRIS AVE-REAR	SCHERING-PLOUGH R/E-TAX DEPT D-195	1	N	Y	N/A	8.53	2.51	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	6.03	80	482.27
105	18	GREEN LANE	TOWNSHIP OF UNION	1	N	Y	N/A	0.95	0.60	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.35	80	28.38
2505	5	CHESTNUT ST	BREEN, CHARLES ALLAN	1	N	Y	N/A	0.17	0.00		0.17	80	13.87
2917	3	978 ROSEMONT AVE	FOTINOS ENTERPRISES % A TSOUKALIS	1	N	Y	N/A	0.14	0.00		0.14	80	11.24
3405	7	ROUTE 22 CENTER	TOWNSHIP OF UNION	1	N	Y	N/A	0.11	0.00		0.11	80	8.63
4003	10	2145 ROUTE 22 WEST	R & D REALTIES, LLC	1	N	Y	N/A	0.51	0.00		0.51	80	41.13
4115	1	ELMWOOD & MORRIS	TOWNSHIP OF UNION	1	N	Y	N/A	0.01	0.01	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	80	0.00
4305	30.01	2237 MORRIS AVE	2237-2243 MORRIS AVE ASSOC, LLC	1	N	Y	N/A	0.16	0.00		0.16	80	12.65
4305	31.01	2241 MORRIS AVE	2237-2243 MORRIS AVE ASSOC, LLC	1	N	Y	N/A	0.16	0.00		0.16	80	12.72
4305	34	2243 MORRIS AVE	2237-2243 MORRIS AVE ASSOC, LLC	1	N	Y	N/A	0.11	0.00		0.11	80	8.69
4501	1	MORRIS AVE	PAOLELLA, PAUL ANTHONY & JUDITH ANN	1	N	Y	N/A	0.19	0.00		0.19	80	14.98
4501	3	MORRIS AVE	PAOLELLA, PAUL ANTHONY & JUDITH ANN	1	N	Y	N/A	0.18	0.00		0.18	80	14.45
4815	23.01	2124 SPRINGFIELD AVE	2124 SPRINGFIELD AVE ASSOCIATES	1	N	Y	N/A	0.25	0.00		0.25	80	19.90
4816	1.01	SPRINGFIELD AVE	M C UNION, LLC%R D MANAGEMENT CORP	1	N	Y	N/A	0.19	0.00		0.19	80	15.54
4914	32	SPRINGFIELD AVE	PERRE, LEONARD% CREST MGMNT	1	N	Y	N/A	0.07	0.00		0.07	80	5.89
5001	49	BURNET AVE-REAR	TOWNSHIP OF UNION	1	N	Y	N/A	0.47	0.24	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.23	80	18.47
5408	12	OSTWOOD TERR	TOWNSHIP OF UNION	1	N	Y	N/A	0.04	0.04	WETLAND AND/OR FLOODPLAIN (NO C-1 IN AREA)	0.00	80	0.00
904	7	390 TUCKER AVE	POWER TEST REALTY CO % GETTY REALTY	1	N	Y	N/A	0.23	0.00		0.23	80	18.06

## **APPENDIX C:**

## **ZONING MAP**





Symbol	Description
BA	Business - Office
BB	Business - Retail
BC	Business - Retail
C	Cemetery
GN-MURZ	Gateway North - Mixed Use Residential Zone
GN-MUZ	Gateway North - Mixed Use Zone
H	Hospital
I	Industrial
IO	Industrial/Office
OB	Office Building
RA	Residential - One Family
RB	Residential - Two Family
RC	Residential - Multifamily
RD	Residential - Senior Housing
RM	Residential - Single Family Attached
UCBD	Union Center Business District
US	Union Station

**T&M** 11 Tindall Road  
Middletown, NJ 07748-2792  
Phone: 732-671-6400  
FAX: 732-671-7365  
ASSOCIATES

0 1,250 2,500 5,000  
Feet

Prepared by: STK, May 19, 2009  
Source: NJDEP - Municipal Boundary, NJDOT - 2008 Roads;  
File Path: H:\UTWP\00690\GIS\Projects\UTWP690\_Zoning.mxd

- Interstate Route
- U.S. Route
- State Route
- Toll Route
- Union Township
- Municipal Boundary
- Zoning Boundary

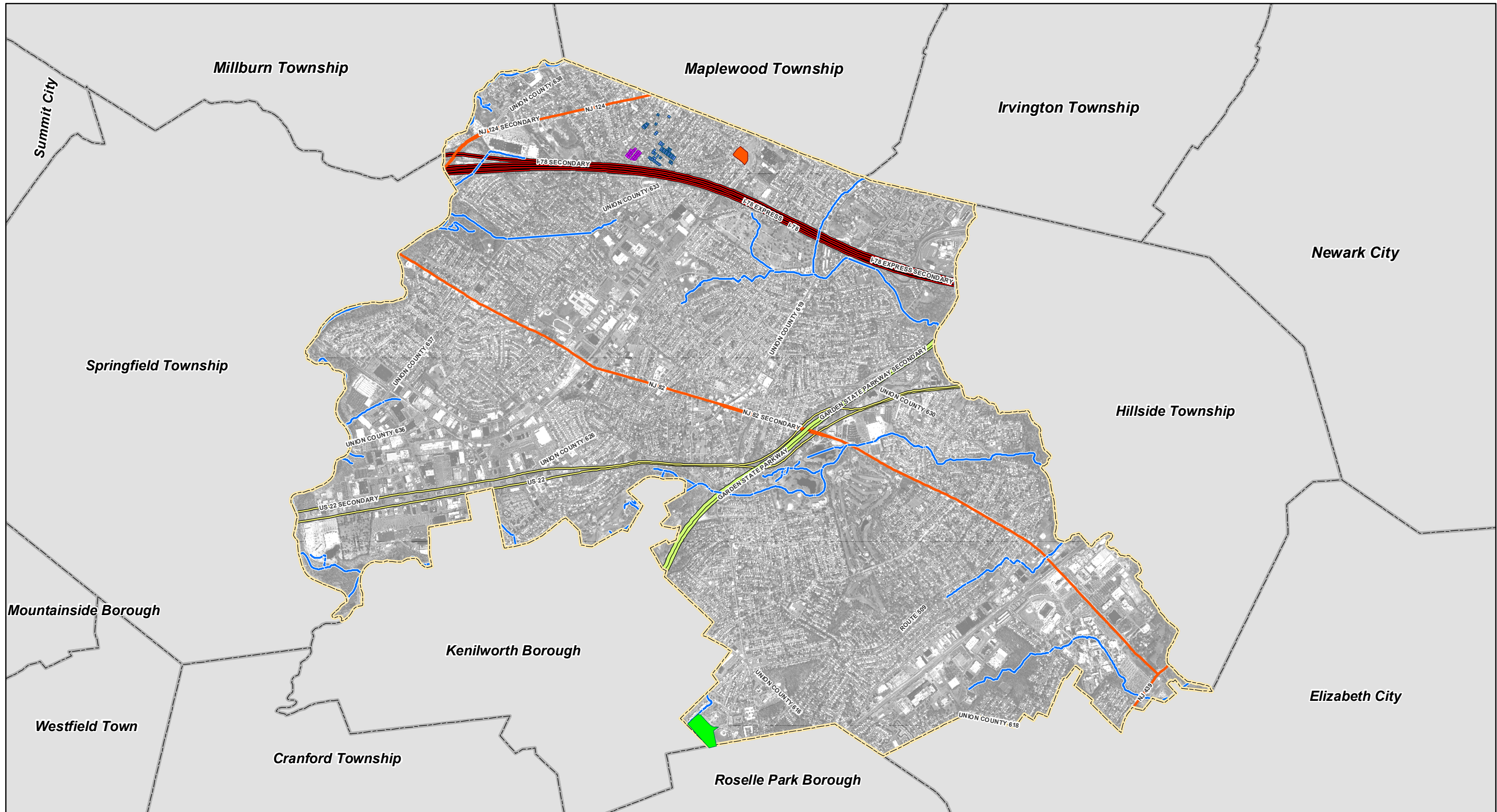


NOTE: This is an unofficial zone map and should only be used for information purposes.  
NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.












**Zoning**  
**Union Township**  
**Union County, New Jersey**

**APPENDIX D:**  
**AFFORDABLE HOUSING SITES**





**T&M** 11 Tindall Road  
 Middletown, NJ 07748-2792  
 Phone: 732-671-6400  
 Fax: 732-671-7365  
 ASSOCIATES  
 0 1,250 2,500 5,000  
 Feet

- |   |  |  |
|---|--|--|
|  Lenox Meadows   |  Stream Corridor    |  Interstate Route |
|  Erhardt Gardens |  Union Township     |  U.S. Route       |
|  Newtown Village |  Municipal Boundary |  State Route      |
|  Nora Gardens    |  |  Toll Route       |

The Township's affordable housing stock includes group homes and community residences for the developmentally disabled. This portion of the Township's housing stock is not mapped in an effort to protect the privacy of residents.

## Affordable Housing Developments Union Township Union County, New Jersey



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

Prepared by: STK, May 13, 2009  
 Source: NJDEP - Municipal Boundary; NJDOT - 2008 Roads; Union County GIS - Union Township Parcel Base; Union Township Engineer's Office - Affordable Housing Developments  
 File Path: H:\UTWP\00690\GIS\Projects\UTWP690\_AffordHousing.mxd

**APPENDIX E:**  
**AFFORDABLE HOUSING ORDINANCE**

**AN ORDINANCE OF THE TOWNSHIP OF UNION IN THE COUNTY OF UNION AND STATE OF NEW JERSEY TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COMPLIANCE WITH THE MUNICIPALITY'S PRIOR ROUND AND THIRD ROUND AFFORDABLE HOUSING OBLIGATIONS.**

**Section 1. Affordable Housing Obligation**

- (a) This Ordinance is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Ordinance shall apply except where inconsistent with applicable law.
- (b) Union Township Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan has been endorsed by the governing body. The Fair Share Plan describes the ways Union Township shall address its fair share for low- and moderate-income housing as determined by the Council on Affordable Housing (COAH) and documented in the Housing Element.
- (c) This Ordinance implements and incorporates the Fair Share Plan and addresses the requirements of N.J.A.C. 5:97, as may be amended and supplemented.
- (d) Union Township shall file monitoring reports with COAH in accordance with N.J.A.C. 5:96, tracking the status of the implementation of the Housing Element and Fair Share Plan. Any plan evaluation report of the Housing Element and Fair Share Plan and monitoring prepared by COAH in accordance with N.J.A.C. 5:96 shall be available to the public at Union Township Municipal Building, Municipal Clerk's Office, 1976 Morris Avenue, Union Township, New Jersey, or from COAH at 101 South Broad Street, Trenton, New Jersey and on COAH's website, [www.nj.gov/dca/affiliates/coah](http://www.nj.gov/dca/affiliates/coah).

**Section 2. Definitions**

The following terms when used in this Ordinance shall have the meanings given in this Section:

**"Accessory apartment"** means a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.

**"Act"** means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

**"Adaptable"** means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.



**“Administrative agent”** means the entity responsible for the administration of affordable units in accordance with this ordinance, N.J.A.C. 5:96, N.J.A.C. 5:97 and N.J.A.C. 5:80-26.1 et seq.

**“Affirmative marketing”** means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

**“Affordability average”** means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

**“Affordable”** means, a sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:97-9; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

**“Affordable development”** means a housing development all or a portion of which consists of restricted units.

**“Affordable housing development”** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

**“Affordable housing program(s)”** means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

**“Affordable unit”** means a housing unit proposed or created pursuant to the Act, credited pursuant to N.J.A.C. 5:97-4, and/or funded through an affordable housing trust fund.

**“Agency”** means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

**“Age-restricted unit”** means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

**“Assisted living residence”** means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

**“Certified household”** means a household that has been certified by an Administrative Agent as

a low-income household or moderate-income household.

**“COAH”** means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

**“DCA”** means the State of New Jersey Department of Community Affairs.

**“Deficient housing unit”** means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

**“Developer”** means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

**“Development”** means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

**“Inclusionary development”** means a development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a non-residential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

**“Low-income household”** means a household with a total gross annual household income equal to 50 percent or less of the median household income.

**“Low-income unit”** means a restricted unit that is affordable to a low-income household.

**“Major system”** means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

**“Market-rate units”** means housing not restricted to low- and moderate-income households that may sell or rent at any price.

**“Median income”** means the median income by household size for the applicable county, as adopted annually by COAH.

**“Moderate-income household”** means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

**“Moderate-income unit”** means a restricted unit that is affordable to a moderate-income household.

**“Non-exempt sale”** means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

**“Random selection process”** means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

**“Regional asset limit”** means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by COAH’s adopted Regional Income Limits published annually by COAH.

**“Rehabilitation”** means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

**“Rent”** means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

**“Restricted unit”** means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

**“UHAC”** means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

**“Very low-income household”** means a household with a total gross annual household income equal to 30 percent or less of the median household income.

**“Very low-income unit”** means a restricted unit that is affordable to a very low-income household.

**“Weatherization”** means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

### **Section 3. Affordable Housing Programs**

Union Township has determined that it will use the following programs to satisfy its affordable housing obligations:

(a) Rehabilitation program.

1. Union Township's rehabilitation program shall be designed to renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
2. Both owner occupied and renter occupied units shall be eligible for rehabilitation funds.
3. All rehabilitated units shall remain affordable to low- and moderate-income households for a period of 10 years (the control period). For owner occupied units the control period will be enforced with a lien and for renter occupied units the control period will be enforced with a deed restriction.
4. Union Township shall dedicate a minimum of \$10,000 for each unit to be rehabilitated through this program, reflecting the minimum hard cost of rehabilitation for each unit.
5. Union Township shall adopt a resolution committing to fund any shortfall in the rehabilitation programs for Union Township.
6. Union Township shall designate, subject to the approval of COAH, one or more Administrative Agents to administer the rehabilitation program in accordance with N.J.A.C. 5:96 and N.J.A.C. 5:97. The Administrative Agent(s) shall provide a rehabilitation manual for the owner occupancy rehabilitation program and a rehabilitation manual for the rental occupancy rehabilitation program to be adopted by resolution of the governing body and subject to approval of COAH. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
7. Units in a rehabilitation program shall be exempt from N.J.A.C. 5:97-9 and Uniform Housing Affordability Controls (UHAC), but shall be administered in accordance with the following:
  - i. If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate-income household at an affordable rent and affirmatively marketed pursuant to N.J.A.C. 5:97-9 and UHAC.

- ii. If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to N.J.A.C. 5:97-9 and UHAC.
- iii. Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:97-9.
- iv. Applicant and/or tenant households shall be certified as income-eligible in accordance with N.J.A.C. 5:97-9 and UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

(b) Accessory Apartment program

1. All accessory apartments shall meet the following conditions:

- i. Accessory apartments are permitted by the Zoning Ordinance for various zoning districts, provided the units are affordable to low- and moderate-income households. Accessory apartments may be developed as low-income or moderate-income units.
- ii. Accessory apartments shall comply with all applicable statutes and regulations of the State of New Jersey in addition to all building codes.
- iii. At the time of initial occupancy of the unit and for at least ten years thereafter, the accessory apartment shall be rented only to a household which is either a low- or moderate-income household.
- iv. Rents of accessory apartments shall be affordable to low- or moderate-income households as per COAH and UHAC regulations.
- v. There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the accessory apartment is located running with the land and limiting its subsequent rental or sale of the unit and the accessory apartment.
- vi. The appropriate utility authority must certify that there is water and sewer infrastructure with sufficient capacity to serve the proposed accessory apartment. Where the proposed location is served by an individual well and/or septic system, the additional capacity necessitated by the new unit must meet the appropriate NJDEP standards.
- vii. The Union Township accessory apartment program shall not restrict the number of bedrooms in any accessory apartment.
- viii. No accessory apartment created as a result of this article or these regulations shall exceed the gross floor area of the existing principal dwelling on the lot.



2. The maximum number of creditable accessory apartments shall be equal to no more than 10 or an amount equal to 10 percent of Union Township's fair share obligation, whichever is greater. In no event shall the Township provide for a number of creditable accessory apartments that exceeds the number of creditable accessory apartments in the Township's Master Plan Housing Element and Fair Share Plan.
3. Union Township shall designate an administrative entity to administer the accessory apartment program that shall have the following responsibilities:
  - i. The Administrative Agent shall administer the accessory apartment program, including advertising, income qualifying prospective renters, setting rents and annual rent increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions and monitoring reports and affirmatively marketing the affordable accessory apartment program in accordance with the UHAC.
  - ii. The administrative entity shall only deny an application for an accessory apartment if the project is not in conformance with COAH's requirements and/or the provisions of this section/article. All denials shall be in writing with the reasons clearly stated.
  - iii. In accordance with COAH requirements, Union Township shall provide at least \$25,000 per unit to subsidize the creation of each low-income accessory apartment or \$20,000 per unit to subsidize the creation of each moderate-income accessory apartment. Subsidy may be used to fund actual construction costs and/or to provide compensation for reduced rental rates.
  - iv. In no event shall the Township provide for a number of creditable accessory apartments that exceeds the number of creditable accessory apartments in the Township's Master Plan Housing Element and Fair Share Plan.
4. Property owners wishing to apply to create an accessory apartment shall submit to the administrative entity:
  - i. A sketch of floor plan(s) showing the location, size and relationship of both the accessory apartment and the primary dwelling within the building or in another structure;
  - ii. Rough elevations showing the modifications of any exterior building façade to which changes are proposed; and
  - iii. A site development sketch showing the location of the existing dwelling and other existing buildings; all property lines; proposed addition, if any, along with the minimum building setback lines; the required parking spaces for both

dwelling units; and any man-made conditions which might affect construction.

5. Accessory apartments will be permitted within the following areas: Block 4001, lots 3 through 6; Block 5806, lots 31.01 through 39; Block 5807, lots 43.01 through 56; Block 5807, lots 89 through 98; and, Block 5823, lots 1 through 13.

(c) **Market to Affordable program.**

1. A market to affordable program is established to permit the purchase or subsidization of units through a written agreement with the property owner and sold or rented to low- and moderate-income households. Subject to the provisions of 2iii below, the market to affordable programs may produce both low- and moderate-income units.
2. The following provisions shall apply to market to affordable programs:
  - i. At the time they are offered for sale or rental, eligible units may be new, pre-owned or vacant.
  - ii. The units shall be certified to be in sound condition as a result of an inspection performed by a licensed building inspector.
  - iii. The municipality will provide a minimum of \$25,000 per unit to subsidize each moderate-income unit and/or \$30,000 per unit to subsidize the each low-income unit, with additional subsidy depending on the market prices or rents in a municipality.
  - iv. The maximum number of creditable market to affordable units shall be equal to no more than 10 for sale units and 10 rental units or a combined total of 10 percent of the fair share obligation, whichever is greater.
3. The units shall comply with N.J.A.C. 5:97-9 and UHAC with the following exceptions:
  - i. Bedroom distribution (N.J.A.C. 5:80-26.3(b) and (c));
  - ii. Low/moderate income split (N.J.A.C. 5:80-26.3(a)); and
  - iii. Affordability average (N.J.A.C. 5:80-26.3(d) and (e)); however:
    - A. The maximum rent for a moderate-income unit shall be affordable to households earning no more than 60 percent of median income and the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income; and
    - B. The maximum sales price for a moderate-income unit shall be affordable to

households earning no more than 70 percent of median income and the maximum sales price for a low-income unit shall be affordable to households earning no more than 40 percent of median income.

#### **Section 4. Inclusionary Zoning**

- (a) **Presumptive densities and set-asides.** In any zone within the Township that permits the minimum presumptive density pursuant to NJAC 5:97-6.4, all residential development of four or more for sale units or five or more rental units shall be constructed as an inclusionary development. To ensure the efficient use of land through compact forms of development and to create realistic opportunities for the construction of affordable housing, inclusionary zoning permits minimum presumptive densities and presumptive maximum affordable housing set-asides as follows:

1. For Sale Developments

- i. Under COAH regulations, inclusionary zoning in Planning Area 1 permits residential development at a presumptive minimum gross density of eight units per acre and a presumptive maximum affordable housing set-aside of 25 percent of the total number of units in the development.
- ii. The following chart shows the required set-aside percentages for restricted for sale units and the maximum permitted densities per acre for all zones in the Township.

<b>Name of District</b>	<b>Regulations</b>	<b>Map Code</b>	<b>Maximum Density per Acre</b>	<b>Set Aside (Sale Units)</b>
Residential — One-Family	Ch. 170	RA	8.7	25%
Residential — Two-Family	Ch. 170	RB	8.7	25%
Residential — Multifamily	Ch. 170	RC	20	25%
Residential — Senior Housing	Ch. 170	RD	40	25%
Residential — Single-Family Attached	Ch. 170	RM	10	25%
Business — Office	Ch. 170	BA	No residential permitted	N/A

**Master Plan Housing Element and Fair Share Plan**  
*Township of Union, Union County*

<b>Name of District</b>	<b>Regulations</b>	<b>Map Code</b>	<b>Maximum Density per Acre</b>	<b>Set Aside (Sale Units)</b>
Business — Retail	Ch. 170	BB	No residential permitted	N/A
Business — Retail	Ch. 170	BC	No residential permitted	N/A
Industrial	Ch. 170	I	No residential permitted	N/A
Industrial/ Office	Ch. 170	IO	No residential permitted	N/A
Office Building	Ch. 170	OB	No residential permitted	N/A
Union Center Business District	Ch. 170	UCBD	No residential permitted	N/A
Union Station	Ch. 170	US	Zone permits residential multifamily (townhouses) and is regulated by max. FAR of 250%	25%
Cemetery	Ch. 170	C	No residential permitted	N/A
Hospital	Ch. 170	H	No residential permitted	N/A

- iii. In the case of any development of for sale units that includes variance relief pursuant to NJSA 40:55D-70(d) at the minimum presumptive density, the required affordable housing set aside shall be 25 percent of the total number of units in the development when four (4) or more units are to be constructed.

**2. Rental Developments**

- i. Under COAH regulations, inclusionary zoning permits a presumptive minimum density of 12 units per acre and a presumptive maximum affordable housing set-aside of 20 percent of the total number of units in the development and the zoning provides for at least 10 percent of the affordable units to be affordable to households earning 30 percent or less of the area median income for the COAH region.
- ii. The following chart shows the required set-aside percentages for restricted for rental units and the maximum permitted densities per acre for all zones in the Township.

**Master Plan Housing Element and Fair Share Plan**  
***Township of Union, Union County***

<b>Name of District</b>	<b>Regulations</b>	<b>Map Code</b>	<b>Maximum Density per Acre</b>	<b>Set Aside (Rental Units)</b>
Residential — One-Family	Ch. 170	RA	8.7	N/A
Residential — Two-Family	Ch. 170	RB	8.7	N/A
Residential — Multifamily	Ch. 170	RC	20	20%
Residential — Senior Housing	Ch. 170	RD	40	20%
Residential — Single-Family Attached	Ch. 170	RM	10	N/A
Business — Office	Ch. 170	BA	No residential permitted	N/A
Business — Retail	Ch. 170	BB	No residential permitted	N/A
Business — Retail	Ch. 170	BC	No residential permitted	N/A
Industrial	Ch. 170	I	No residential permitted	N/A
Industrial/ Office	Ch. 170	IO	No residential permitted	N/A
Office Building	Ch. 170	OB	No residential permitted	N/A
Union Center Business District	Ch. 170	UCBD	No residential permitted	N/A
Union Station	Ch. 170	US	Zone permits residential multifamily (townhouses) and is regulated by max. FAR of 250%	20%
Cemetery	Ch. 170	C	No residential permitted	N/A
Hospital	Ch. 170	H	No residential permitted	N/A

- iii. In the case of any development of for sale units that includes variance relief pursuant to NJSA 40:55D-70(d) at the minimum presumptive density, the required affordable housing set aside shall be 20 percent of the total number of units in the development when five (5) or more units are to be constructed.

- (b) Phasing. In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

- (c) Design. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
- (d) Payments-in-lieu and off-site construction. Developers shall construct the required affordable units onsite. The developer may make a payment in lieu of providing the whole or fractional number of affordable units required onsite, provided that the Township has adopted an ordinance, which includes specific criteria to be met in order for a development to provide a payment in lieu of construction. The amount of the payment in lieu shall be \$148,683 per affordable unit. The payment in lieu cost per unit shall be revised periodically in accordance with COAH's determination of the subsidy required for the payment in lieu amount for COAH Region 2.
- (e) Utilities. Affordable units shall utilize the same type of heating source as market units within the affordable development.

### **Section 5. New Construction**

The following general guidelines apply to all newly constructed developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

- (a) Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:
  - 1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit.
  - 2. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.
  - 3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:

- i. The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
  - ii. At least 30 percent of all low- and moderate-income units shall be two bedroom units;
  - iii. At least 20 percent of all low- and moderate-income units shall be three bedroom units; and
  - iv. The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
4. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

(b) Accessibility Requirements:

1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.
2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
  - i. An adaptable toilet and bathing facility on the first floor;
  - ii. An adaptable kitchen on the first floor;
  - iii. An interior accessible route of travel on the first floor;
  - iv. An interior accessible route of travel shall not be required between stories within an individual unit;
  - v. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
  - vi. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, or evidence that Union Township has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:

- A. Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
- B. To this end, the builder of restricted units shall deposit funds within Union Township's affordable housing trust fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
- C. The funds deposited under paragraph B. above shall be used by Union Township for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
- D. The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of Union Township.
- E. Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14, and that the cost estimate of such conversion is reasonable, payment shall be made to Union Township's affordable housing trust fund in care of the Municipal Treasurer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.
- F. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7 and N.J.A.C. 5:97-3.14.

(c) **Maximum Rents and Sales Prices**

- 1. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC and in COAH, utilizing the regional income limits established by COAH.
- 2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.



3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units.
  - i. At least 13 percent of all low- and moderate-income rental units shall be affordable to households earning no more than 30 percent of median income.
4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
5. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:
  - i. A studio shall be affordable to a one-person household;
  - ii. A one-bedroom unit shall be affordable to a one and one-half person household;
  - iii. A two-bedroom unit shall be affordable to a three-person household;
  - iv. A three-bedroom unit shall be affordable to a four and one-half person household; and
  - v. A four-bedroom unit shall be affordable to a six-person household.
6. In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:
  - i. A studio shall be affordable to a one-person household;
  - ii. A one-bedroom unit shall be affordable to a one and one-half person household; and
  - iii. A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
7. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and

condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

8. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
9. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
10. The rent of low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.
11. Utilities. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

#### **Section 6. Affirmative Marketing Requirements**

- (a) Union Township shall adopt by resolution an Affirmative Marketing Plan, subject to approval of COAH, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- (b) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region 2 and covers the period of deed restriction.
- (c) The Administrative Agent designated by Union Township shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the

municipality.

- (d) In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- (e) The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
- (f) The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by Union Township.

### **Section 7. Occupancy Standards**

- (a) In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
  - 1. Provide an occupant for each bedroom;
  - 2. Provide children of different sex with separate bedrooms; and
  - 3. Prevent more than two persons from occupying a single bedroom.
- (b) Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.

### **Section 8. Control Periods for Restricted Ownership Units and Enforcement Mechanisms**

- (a) Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance until Union Township elects to release the unit from such requirements however, and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- (b) The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- (c) Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.

- (d) At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- (e) The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- (f) A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

**Section 9. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices**

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- (a) The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- (b) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- (c) The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners.
- (d) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

**Section 10. Buyer Income Eligibility**

- (a) Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median

income.

- (b) The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's certified monthly income.

**Section 11. Limitations on indebtedness secured by ownership unit; subordination**

- (a) Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- (b) With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with N.J.A.C.5:80-26.6(b).

**Section 12. Control Periods for Restricted Rental Units**

- (a) Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance until Union Township elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, and prior to such an election, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- (b) Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Union. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- (c) A restricted rental unit shall remain subject to the affordability controls of this Ordinance, despite the occurrence of any of the following events:
  - 1. Sublease or assignment of the lease of the unit;
  - 2. Sale or other voluntary transfer of the ownership of the unit; or
  - 3. The entry and enforcement of any judgment of foreclosure.

**Section 13. Price Restrictions for Rental Units; Leases**

- (a) A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- (b) No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- (c) Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

**Section 14. Tenant Income Eligibility**

- (a) Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
  - 1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.
  - 2. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.
  - 3. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.
- (b) The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
  - 1. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
  - 2. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;

3. The household is currently in substandard or overcrowded living conditions;
  4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
  5. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- (c) The applicant shall file documentation sufficient to establish the existence of the circumstances in (b)1 through 5 above with the Administrative Agent, who shall counsel the household on budgeting.

### **Section 15. Administration**

- (a) The position of Municipal Housing Liaison (MHL) for Union Township is established by this ordinance. The Union Township Committee shall make the actual appointment of the MHL by means of a resolution.
1. The MHL must be either a full-time or part-time employee of Union Township.
  2. The person appointed as the MHL must be reported to COAH for approval.
  3. The MHL must meet all COAH requirements for qualifications, including initial and periodic training.
  4. The MLH shall be responsible for oversight and administration of the affordable housing program for Union Township, including the following responsibilities which may not be contracted out to the Administrative Agent:
    - i. Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
    - ii. The implementation of the Affirmative Marketing Plan and affordability controls.
    - iii. When applicable, supervising any contracting Administrative Agent.
    - iv. Monitoring the status of all restricted units in Union Township's Fair Share Plan;
    - v. Compiling, verifying and submitting annual reports as required by COAH;
    - vi. Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and

- vii. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by COAH.
- (b) Union Township shall designate by resolution of the Union Township Committee, subject to the approval of COAH, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:96, N.J.A.C. 5:97 and UHAC.
- (c) An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of COAH. The Operating Manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
- (d) The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which includes:
  - 1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
  - 2. Affirmative Marketing;
  - 2. Household Certification;
  - 3. Affordability Controls;
  - 4. Records retention;
  - 5. Resale and re-rental;
  - 6. Processing requests from unit owners; and
  - 7. Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.
  - 8. The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

**Section 16. Enforcement of Affordable Housing Regulations**

- (a) Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief



to prevent further violation of the regulations, entry on the premises, and specific performance.

- (b) After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
  - 1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the court:
    - i. A fine of not more than \$20,000 or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
    - ii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into Union Township Affordable Housing Trust Fund of the gross amount of rent illegally collected;
    - iii. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
  - 2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.
- (c) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
- (d) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase

Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

- (e) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- (f) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- (g) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- (h) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

**Section 17. Appeals**

Appeals from all decisions of an Administrative Agent designated pursuant to this Ordinance shall be filed in writing with the Executive Director of COAH.

**REPEALER**

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**EFFECTIVE DATE**

This ordinance shall take effect upon passage and publication as provided by law.

**APPENDIX F:**  
**DEVELOPMENT FEE ORDINANCE**

**AN ORDINANCE OF THE TOWNSHIP OF UNION IN THE COUNTY OF UNION AND STATE OF NEW JERSEY TO REPEAL AND REPLACE CHAPTER 150, ARTICLE I (MANDATORY DEVELOPMENT FEES) OF THE CODE OF THE TOWNSHIP OF UNION IN ORDER TO ADDRESS THE REQUIREMENTS OF THE COUNCIL ON AFFORDABLE HOUSING (COAH) REGARDING COLLECTION AND USE OF DEVELOPMENT FEES.**

**1. Purpose**

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.
- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

**2. Basic Requirements**

- a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*.
- b) Union Township shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3*.

**3. Definitions**

- a) The following terms, as used in this ordinance, shall have the following meanings:
  - i. **"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

- ii. **“COAH”** or the **“Council”** means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
- iii. **“Development fee”** means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.
- iv. **“Developer”** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- v. **“Equalized assessed value”** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
- vi. **“Green building strategies”** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

#### 4. Residential Development Fees

- a) Imposed fees
  - i. Within the Township, residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and one-half (1.5) percent of the equalized assessed value for residential development provided no increased density is permitted.
  - ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers shall be required to pay a development fee of six (6) percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.  
  
Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees would equal one and one-half percent of the equalized assessed value on the first two units, and the specified higher percentage up to six (6) percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.
- b) Eligible exactions, ineligible exactions and exemptions for residential development

- i. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
- ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
- iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- iv. Developers of residential structures demolished and replaced as a result of a natural disaster, fire damage, and vandalism shall be exempt from paying a development fee, provided that:
  1. The building is rebuilt with the same use.
  2. The ownership of the property remains unchanged from the date of the fire, vandalism, or natural disaster to the issuance of the certificate of occupancy.

## **5. Non-residential Development Fees**

- a) Imposed fees
  - i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
  - ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
  - iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half (2.5) percent shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required

under this section results in a negative number, the non-residential development fee shall be zero.

- b) Eligible exactions, ineligible exactions and exemptions for non-residential development
  - i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
  - ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
  - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF “State of New Jersey Non-Residential Development Certification/Exemption” Form. Any exemption claimed by a developer shall be substantiated by that developer.
  - iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
  - v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances shall be enforceable by Union Township as a lien against the real property of the owner.

## **6. Collection procedures**

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF “State of New Jersey Non-Residential Development Certification/Exemption” to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a



- development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
  - e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
  - f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
  - g) Should Union Township fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
  - h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
  - i) Appeal of development fees
    - i. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Union Township. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
    - ii. A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Union Township. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

## **7. Affordable Housing Trust Fund**

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Chief Financial Officer for the purpose of depositing

- development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
    - ii. Payments in lieu of on-site construction of affordable units;
    - iii. Developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
    - iv. Rental income from municipally operated units;
    - v. Repayments from affordable housing program loans;
    - vi. Recapture funds;
    - vii. Proceeds from the sale of affordable units; and,
    - viii. Any other funds collected in connection with Union Township's affordable housing program.
  - c) Within seven days from the opening of the trust fund account, Union Township shall provide COAH with written authorization, in the form of a three-party escrow agreement between the municipality, the bank, and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).
  - d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

## **8. Use of funds**

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address Union Township's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.
- b) Funds shall not be expended to reimburse Union Township for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the

affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.

- i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.
  - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
  - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Union Township may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

## **9. Monitoring**

- a) Union Township shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Union Township's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

## **10. Ongoing collection of fees**

- a) The ability for Union Township to impose, collect and expend development fees

**Master Plan Housing Element and Fair Share Plan**  
*Township of Union, Union County*

shall expire with its substantive certification unless Union Township has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If Union Township fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). Union Township shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall Union Township retroactively impose a development fee on such a development. Union Township shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

**APPENDIX G:**  
**COAH REGIONAL INCOME LIMITS**

**Master Plan Housing Element and Fair Share Plan  
Township of Union, Union County**

**COUNCIL ON AFFORDABLE HOUSING (COAH)  
2009 REGIONAL INCOME LIMITS**

		1 Person	*1.5 Person	2 Person	*3 Person	4 Person	*4.5 Person	5 Person	6 Person	7 Person	8 Person	Max. Increase** <i>Rents      Sales</i>	Regional Asset Limit***
<b>Region 1</b> Bergen, Hudson, Passaic and Sussex	Median	\$56,417	\$60,447	\$64,477	\$72,536	\$80,596	\$83,820	\$87,044	\$93,491	\$99,939	\$106,387		
	Moderate	\$45,134	\$48,358	\$51,581	\$58,029	\$64,477	\$67,056	\$69,635	\$74,793	\$79,951	\$85,109		
	Low	\$28,209	\$30,224	\$32,238	\$36,268	\$40,298	\$41,910	\$43,522	\$46,746	\$49,970	\$53,193	3.3%	\$155,847
<b>Region 2</b> Essex, Morris, Union and Warren	Very Low	\$16,925	\$18,134	\$19,343	\$21,761	\$24,179	\$25,146	\$26,113	\$28,047	\$29,982	\$31,916		
	Median	\$61,260	\$65,636	\$70,011	\$78,763	\$87,514	\$91,015	\$94,515	\$101,516	\$108,517	\$115,518		
	Moderate	\$49,008	\$52,508	\$56,009	\$63,010	\$70,011	\$72,812	\$75,612	\$81,213	\$86,814	\$92,415		
<b>Region 3</b> Hunterdon, Middlesex and Somerset	Low	\$30,630	\$32,818	\$35,006	\$39,381	\$43,757	\$45,507	\$47,258	\$50,758	\$54,259	\$57,759	3.3%	\$167,895
	Very Low	\$18,378	\$19,691	\$21,003	\$23,629	\$26,254	\$27,304	\$28,355	\$30,455	\$32,555	\$34,656		
	Median	\$70,070	\$75,075	\$80,080	\$90,090	\$100,100	\$104,104	\$108,108	\$116,116	\$124,124	\$132,132		
<b>Region 4</b> Mercer, Monmouth and Ocean	Moderate	\$56,056	\$60,060	\$64,064	\$72,072	\$80,080	\$83,283	\$86,486	\$92,893	\$99,299	\$105,706		
	Low	\$35,035	\$37,538	\$40,040	\$45,045	\$50,050	\$52,052	\$54,054	\$58,058	\$62,062	\$66,066	3.3%	\$190,606
	Very Low	\$21,021	\$22,523	\$24,024	\$27,027	\$30,030	\$31,231	\$32,432	\$34,835	\$37,237	\$39,640		
<b>Region 5</b> Burlington, Camden and Gloucester	Median	\$61,774	\$66,187	\$70,599	\$79,424	\$88,249	\$91,779	\$95,309	\$102,369	\$109,429	\$116,489		
	Moderate	\$49,419	\$52,949	\$56,479	\$63,539	\$70,599	\$73,423	\$76,247	\$81,895	\$87,543	\$93,191		
	Low	\$30,887	\$33,093	\$35,300	\$39,712	\$44,125	\$45,889	\$47,654	\$51,184	\$54,714	\$58,244	3.3%	\$165,998
<b>Region 6</b> Atlantic, Cape May, Cumberland and Salem	Very Low	\$18,532	\$19,856	\$21,180	\$23,827	\$26,475	\$27,534	\$28,593	\$30,711	\$32,829	\$34,947		
	Median	\$54,460	\$58,350	\$62,240	\$70,020	\$77,800	\$80,912	\$84,024	\$90,248	\$96,472	\$102,696		
	Moderate	\$43,568	\$46,680	\$49,792	\$56,016	\$62,240	\$64,730	\$67,219	\$72,198	\$77,178	\$82,157		
<b>Region 7</b> Atlantic, Cape May, Cumberland and Salem	Low	\$27,230	\$29,175	\$31,120	\$35,010	\$38,900	\$40,456	\$42,012	\$45,124	\$48,236	\$51,348	3.3%	\$144,185
	Very Low	\$16,338	\$17,505	\$18,672	\$21,006	\$23,340	\$24,274	\$25,207	\$27,074	\$28,942	\$30,809		
	Median	\$47,083	\$50,446	\$53,809	\$60,535	\$67,261	\$69,951	\$72,642	\$78,023	\$83,404	\$88,785		
<b>Region 8</b> Atlantic, Cape May, Cumberland and Salem	Moderate	\$37,666	\$40,357	\$43,047	\$48,428	\$53,809	\$55,961	\$58,114	\$62,418	\$66,723	\$71,028		
	Low	\$23,541	\$25,223	\$26,904	\$30,267	\$33,631	\$34,976	\$36,321	\$39,011	\$41,702	\$44,392	3.3%	\$125,971
	Very Low	\$14,125	\$15,134	\$16,143	\$18,160	\$20,178	\$20,985	\$21,793	\$23,407	\$25,021	\$26,635		

\*These columns are for calculating the pricing for one, two and three bedroom sale and rental units as per N.J.A.C. 5:80-26.4(a).

\*\*This column is used for calculating the pricing for resale and rent increases for units as per N.J.A.C. 5:97-9.3. However, low income tax credit developments may increase based on the low income tax credit regulations.

\*\*\*The Regional Asset Limit is used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)3.

Moderate income is between 80 and 50 percent of the median income. Low income is 50 percent or less of median income. Very low income is 30 percent or less of median income.

**APPENDIX H:**  
**COAH ILLUSTRATIVE SALE PRICES**

**Illustrative\***  
**2009**  
**Low and Moderate Income**  
**Sales Prices for New Construction**

**Region 2 Essex - Morris - Union - Warren**

<i>Median Income 1.5 person</i>	<i>\$65,636</i>
<i>Median Income 3 person</i>	<i>\$78,763</i>
<i>Median Income 4.5 person</i>	<i>\$91,015</i>

<b>Size</b>	<b>Very Low Income (30%)</b>	<b>Low Income (40%)</b>	<b>Max. Low (50%)</b>	<b>Average (55%)</b>	<b>Max. Moderate (70%)</b>
1 bedroom	\$44,304	\$59,072	\$73,840	\$81,224	\$103,376
2 bedroom	\$53,165	\$70,886	\$88,608	\$97,469	\$124,051
3 bedroom	\$61,435	\$81,913	\$102,391	\$112,631	\$143,348

**NOTE:** One bedroom housing is affordable to a 1.5 person household  
Two bedroom housing is affordable to a 3 person household  
Three bedroom housing is affordable to a 4.5 person household

\*Illustrative Only: The prices will vary depending upon municipal tax rate, county equalization ratio, permanent interest rate and condominium association fee, if applicable.

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Source: COAH ([www.state.nj.us/dca/affiliates/coah/resources/calculators/illustrativesales.xls](http://www.state.nj.us/dca/affiliates/coah/resources/calculators/illustrativesales.xls))



**APPENDIX I:**  
**COAH ILLUSTRATIVE RENTAL PRICES**

**Illustrative\***  
**2009**  
**Low and Moderate Income**  
**Rents for New Construction and/or Reconstruction**

**Region 2 Essex - Morris - Union - Warren**

Median Income 1.5 person	\$65,636
Median Income 3 person	\$78,763
Median Income 4.5 person	\$91,015

**Low Income (30% Median)**

Size	Gross Rent	Utility Allowance*	Net Rents
1 bedroom	\$492	\$100	\$392
2 bedroom	\$591	\$125	\$466
3 bedroom	\$683	\$151	\$532

**Low Income (35% Median)**

Size	Gross Rent	Utility Allowance*	Net Rents
1 bedroom	\$574	\$100	\$474
2 bedroom	\$689	\$125	\$564
3 bedroom	\$796	\$151	\$645

**Low Income (46% Median)**

Size	Gross Rent	Utility Allowance*	Net Rents
1 bedroom	\$755	\$100	\$655
2 bedroom	\$906	\$125	\$781
3 bedroom	\$1,047	\$151	\$896

**Moderate Income (60% Median)**

Size	Gross Rent	Utility Allowance*	Net Rents
1 bedroom	\$985	\$100	\$885
2 bedroom	\$1,181	\$125	\$1,056
3 bedroom	\$1,365	\$151	\$1,214

At least one rent shall be set for low-income units by bedroom size and at least one rent shall be set for moderate-income units by bedroom size. However, the rents must average no more than 52 percent of median income. At least 10 percent of all low- and moderate-income units shall be affordable to households earning no more than 35 percent of median income.

**NOTE:** One bedroom housing is affordable to a 1.5 person household  
Two bedroom housing is affordable to a 3 person household  
Three bedroom housing is affordable to a 4.5 person household

**\*Illustrative Only - Use the HUD Utility Allowances for the appropriate unit type**